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House of Representatives

OF THE

STATE OF ALABAMA

REGULAR SESSION OF 1969

HELD IN THE CITY OF MONTGOMERY
COMMENCING TUESDAY, MAY 6, 1969

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JOURNAL
OF THE
HOUSE OF REPRESENTATIVES
OF THE
STATE OF ALABAMA
REGULAR SESSION OF 1969

THIRTY-FOURTH DAY

House of Representatives
Montgomery, Alabama
Thursday, August 21, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverent Gus W. Young, Assistant Pastor, Rock Springs Baptist Church, Graham, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dobbs	Jackson (F)	Pearson
Adwell	Doss	Jackson (T)	Pennington
Agee	Downing	Jones	Perloff
Bank	Drake	Kilgore	Pruitt
Bassett	Edington	Laxson	Robertson
Beck	Ellis	Lemley	Sessions
Berryman (W)	Fine	Lyons	Shumate
Blanton	Foshee	Malone	Slate
Bowers	Gafford	Manley	Smith
Brannan	Garrett	Marr	Snell
Brassell	Gloor	Mathews	Springer
Brown	Graham	Mays	Starnes
Burgess	Grainger	McCorquodale	Steagall
Burgreen	Grayson	McDonald	Stembridge
Cameron	Hain	McElhaney	Stubbs
Cherner	Hardin	McLain	Tuck
Collier	Harris	Meade	Turnham
Collins (C)	Haygood	Melton	Waggoner
Collins (W)	Headley	Merrill	Watkins
Cook (Coffee)	Higginbotham	Money	Weeks
Cook (Jefferson)	Hill	Nettles	Williams
Crane	Hobbie	Neville	Wood
Crawford	Holladay	Owen (Baldwin)	Wright
Culver	Holman	Owens (W)	Yeilding
Dill	House	Paulk	Young

—100

A quorum was present.

LEAVE OF ABSENCE

On motion of Mr. Malone, leave of absence was granted for Mr. Owens (W.E.) due to personal illness.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 942. To levy in Jefferson County a privilege or license tax on persons, corporations, partnerships, firms, associations and other entities engaged in the business of renting or furnishing rooms, lodgings or accommodations, in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings or accommodations are rented or furnished for a consideration, and also a privilege or license tax on persons engaged in the business of renting or furnishing space for the accommodation of trailers; to provide the amount or rate of the aforesaid taxes; to provide for certain exemptions from the taxes so levied; to provide for the method of collecting and enforcing the said taxes; to provide that the Director of Revenue of the County shall collect the taxes levied by this act; to provide that the said Director of Revenue shall pay one percent (1%) of the total amount of the said taxes collected by him to the treasury of the County, as compensation to the County for expenses incurred by the County in the collection of said taxes and in the administration and enforcement of this act; to provide that the said director of Revenue shall pay all of the proceeds of the taxes, except the one percent (1%) deducted as aforesaid, to the convention and tourism authority of the County created by that certain act adopted during the Regular Session of the Legislature of Alabama of 1969, which provides for a convention and tourism authority in counties of the state having a population of 500,000 or more according to the last or any subsequent Federal census; to repeal all ordinances of any municipalities within the County imposing, or levying, any license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the charges made for rooms, lodgings or accommodations; to provide that the aforesaid repeal of municipal ordinances shall not impair the power of the governing body of any municipality to re-enact any ordinance hereby repealed, or to enact any new or different ordinance imposing, or levying, a license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the total charges made for rooms, lodgings or accommodations; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the Act.

And the President of the Senate appointed as Conferees on part of the Senate Messrs. Morrow, Bailes and Childs.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference on the disagreement of the two Houses on the Senate amendment to the Bill:

H. 675. To provide in every County having a population of 500,000 or more according to the last or any subsequent Federal census for the

creation of a public corporation which shall be vested with the powers provided for in the act, for the purpose of attracting conventions and tourists to the county; to define the powers of such corporation; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the act.

And the President of the Senate appointed as Conferees on part of the Senate Messrs. Morrow, Bailes and Childs.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1409. To alter, rearrange and extend the boundaries and corporate limits of the City of Pell City, St. Clair County, Alabama, so as to annex certain territory to the city.

Also:

H. 1377. Relating to counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted, by other than accidental means, upon children under the age of sixteen years; exempting physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

Also:

H. 1243. Relating to counties having a population of not less than 110,000 nor more than 160,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

Also:

H. 1408. Proposing an amendment to the Constitution of Alabama authorizing the imposition of a trial tax or other charge on litigation in certain courts of Russell County, the proceeds to be used for establishing, maintaining and operating a public law library in such county.

Also:

H. 1333. To authorize and provide for the establishment, maintenance, equipping, operation and financing of a public law library in Russell County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within the county.

Also:

H. 273. To provide for the compensation to be paid circuit judges by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Also:

H. 679. To authorize the governing body of every county of the State having a population of 500,000 or more according to the last or any subsequent Federal census to adopt and enforce ordinances designed to promote the orderly and safe movement of pedestrian and vehicular traffic on the public highways and roads in areas of the county not situated within the boundaries of any municipality; to authorize any such governing body to adopt and enforce ordinances prescribing speeds at which it shall be lawful and speeds at which it shall be unlawful to operate vehicles on such public highways and roads; to authorize any such governing body to adopt and enforce ordinances providing for the installation or maintenance of traffic signs, traffic signals, traffic lines, traffic lanes and other devices designed to regulate and control vehicular and pedestrian traffic on such public highways and roads, to authorize any such governing body to adopt and enforce ordinances containing regulations and prohibitions regarding the parking of vehicles on such public highways and roads; to provide that no such governing body shall have the authority to adopt any ordinances applying within the corporate limits of any municipality and that no ordinance adopted under this Act shall have any effect or force within the corporate limits of any municipality; to provide that no such governing body shall have the power to pass any ordinance inconsistent with any law of the State or with any ordinance of any municipality applying within the police jurisdiction thereof; to provide that if there is any such conflict, the State law or the municipal ordinance shall prevail over the ordinance adopted by the governing body of the county, insofar as there is any such conflict; to provide for the procedure by which the governing body shall adopt an ordinance under this Act; to provide that no ordinance adopted under this Act shall take effect until it has been published in a newspaper of general circulation in the County; to provide that all courts of the State shall take judicial notice of all ordinances adopted under this Act; to provide that the violation of any ordinance adopted under this Act shall constitute a misdemeanor and to provide the punishment to be imposed upon one convicted of any such violation; to provide that the fees and costs of court in cases involving the violation of any such ordinance shall be the same as the laws prescribe generally for misdemeanors in that court wherein the cases involving such violation arises; to repeal all laws or parts of laws in conflict with this Act to the extent of such conflict; and to provide when this Act shall become effective.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1388. To amend Section 10 of Act No. 556 of the 1959 Regular Session of the Legislature of Alabama (Acts of Alabama, 1959, pages 1376, et seq.), as amended, which Act established a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore established or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951, (Acts of Alabama 1951, page 1579, et seq., as amended).

Also:

H. 1391. To amend Section 10 of Act No. 497 of the Regular Session of the Legislature of Alabama, 1965, approved August 20, 1965 (Ala. Acts 1965, p. 717) as heretofore amended, which Act establishes a pension system for officers and employees of Jefferson County, Alabama.

Also:

H. 1393. To further amend Act No. 497 of the Legislature of Alabama of 1965, approved August 20, 1965 (Ala. Acts, 1965, p. 717 et seq.), which established a pension and retirement system for officers and employers of Jefferson County.

Also:

H. 1394. To fix the compensation or salary of the Judges of the Criminal Court of Jefferson County and to regulate the payment of the salaries of said judges.

Also:

H. 1398. To amend Act No. 91, H. 63, First Extra Session 1964 (Acts 1964, Page 124), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 816. To provide further for the admission of the mentally retarded to certain state hospitals and facilities.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1035. To alter or rearrange the boundary lines of the City of Northport, Tuscaloosa County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Tuscaloosa County, Alabama.

Also:

H. 1082. To further amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), which established a policemen's pension system for cities having a population of 100,000 or more, as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

Also:

H. 1347. Relating to counties having populations of not less than 14,300 nor more than 14,800, according to the most recent federal decennial census; to authorize the court of county commissioners, or other like governing body, in such counties to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance; to repeal conflicting laws.

Also:

H. 1348. Relating to counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census; to authorize the court of county commissioners, or other like governing body, in such counties to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance; to repeal conflicting laws.

Also:

H. 1360. Relating to Franklin County; to fix the compensation of members of the jury commission.

Also:

H. 1364. Relating to Franklin County; to regulate and provide for the payment of compensation of election officers.

Also:

H. 1365. Relating to Franklin County; to provide additional expense allowances for members of the county board of education.

Also:

H. 1366. Relating to Franklin County; to provide a county supplement to the per diem compensation of members of the county board of equalization.

Also:

H. 1367. Relating to Franklin County; to regulate the compensation of jurors.

Also:

H. 1419. To provide a method for issuing motor vehicle license tags by mail in counties having a population of not less than 55,000 nor more than 60,000 according to the last or any subsequent federal decennial census by any Judge of Probate or License Commissioner charged with the duty of issuing such license tag.

Also:

H. 1420. Relating to the Fourth Judicial Circuit; providing for a supplemental salary to be paid from Dallas County funds to the associate circuit judge residing in said county.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 35. Relating to counties having populations of not less than 46,500 nor more than 48,000; to authorize certain cities within such counties to consolidate; to prescribe the method of consolidation; to provide that the city created from such consolidation shall succeed to the powers, obligations, duties and rights of cities consolidated therein; to provide for a referendum election to determine if this act shall become effective.

Also:

H. 949. Relating to counties having populations of not less than 47,000 nor more than 49,000; authorizing the county governing body to contribute county funds, within the limit herein prescribed, for the use of any non-profit volunteer rescue squad operating within the county.

Also:

H. 1018. Relating to judicial circuits composed of one county which county has a population of not less than 47,000 and not more than 49,000 and which county has two courthouses; authorizing the district attorney of such circuit to appoint a secretarial assistant; to prescribe the powers, duties and compensation of such assistant; and to provide for the payment of his compensation out of the general fund of the county composing such circuit.

Also:

H. 1095. Relating to the office of the sheriff of Colbert County; creating a civil service board of appeals, regulating tenure of employment for deputies, and prescribing the authority and the qualifications, terms, duties, and compensation of members of the board.

Also:

H. 1204. Relating to counties having populations of not less than 46,500 nor more than 48,000 to provide protection to recipients of old age assistance; requiring such recipients to receive counseling before entering into certain financial agreements.

Also:

H. 1328. Relating to counties having populations of not less than 150,000 nor more than 300,000, according to the most recent federal decennial census; to exempt art guilds and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions; to repeal conflicting laws.

Also:

H. 1349. Relating to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census; providing for the payment by such counties of the salary and expenses of an investigator appointed by the district attorney of the judicial circuits in which such counties are located.

Also:

H. 1352. Relating to counties having a population of not less than 16,300 and not more than 17,300 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

Also:

H. 1363. Relating to Franklin County; to regulate the compensation of members of the county board of registrars and to provide for payment of additional compensation from the county treasury.

Also:

H. 1405. To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in Counties having a population of not less than 150,000 nor more than 300,000 persons, describing their

duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1135. To amend subparagraph (b) of Section 4 of Act No. 672 H. 923 of the regular session of 1967 (General Acts 1967, Page 1496), which was an Act to authorize any county having a population of 500,000 or more, according to the last or any subsequent federal census to adopt a building code or ordinance designed to prevent fire and to protect the people of the county from the loss of property and the loss of life consequent to fires, which building code or ordinances shall apply only in the unincorporated area of the county; so as to authorize the adoption of such code or ordinance without regard to whether a majority of the qualified electors residing in the area wherein the code shall apply are in favor of the adoption of the code and without regard as to whether the adoption of the proposed code would result in substantial savings in respect to fire insurance rates.

Also:

H. 1303. To authorize and regulate cooperation in counties having populations of 600,000 or more, according to the most recent federal decennial census, among and between the county, municipalities, other governmental subdivisions and public corporations therein, the state and the federal government on a basis of mutual advantage in order better to provide services and facilities to fill the needs of the inhabitants thereof and promote the full development of area.

Also:

H. 1399. To provide for the payment of expense allowance for county officers serving in the positions of Tax Assessor, Tax Collector, Treasurer, Probate Judge, and members of the county board of registrars in all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census.

Also:

H. 1396. To fix the compensation or salary of the register of the Circuit Court in all counties having a population of 600,000 or more according to the last or any succeeding federal census and to provide for the payment thereof.

Also:

H. 1426. To fix the compensation or salary of the Sheriff of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 1381. To further amend Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, p. 717), establishing a retirement system for employees and officers of Jefferson County, Alabama, as heretofore amended.

Also:

H. 1382. To amend Section 4 of Act No. 556 of the Legislature of Alabama of 1959, approved November 19, 1959 (Acts of Alabama of 1959, page 1376 et seq.), as amended, which act established a pension and relief or retirement and relief system for firemen and policemen who are members of any pension and relief system heretofore established or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama 1951, page 1579, et seq., as amended).

Also:

H. 1383. To amend Act Number 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, pages 1579 et seq.) entitled, "To create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal census a Pension and Relief or Retirement and Relief System for officers and employees of such city and their widows and children; to make the provisions of such System retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such System."

Also:

H. 1384. To fix and provide for the compensation or salary of the assistant or associate Judges of Probate in counties having a population of 600,000 or more, according to the last or any subsequent Federal census, and to provide for the payment thereof.

Also:

H. 1385. To further amend Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts, 1965, p. 717 et seq.), which Act established a pension system for officers and employees of Jefferson County.

Also:

H. 1386. To fix the compensation or salary of the Judges of the Civil Court of Jefferson County and to regulate the payment of the salaries of said Judges.

McDOWELL LEE,
Secretary.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirty-third legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the thirty-third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirty-third legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 270. Relating to certain schools or courses of instruction publicized, sold, offered for sale or administered to residents of this State; prescribing certain requirements relative to the solicitation of students; providing exceptions for the application of this act; providing for the issuance of permits by the state board of education; authorizing the state board of education to adopt rules and regulations for the administration and enforcement of this act and to establish an advisory committee to assist in its functions; providing for appeals from decisions of the board; and providing penalties for violations.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration the Bill:

H. 270. Relating to certain schools or courses of instruction publicized, sold, offered for sale or administered to residents of this State; prescribing certain requirements relative to the solicitation of students; providing exceptions for the application of this act; providing for the issuance of permits by the state board of education; authorizing the state board of education to adopt rules and regulations for the administration and enforcement of this act and to establish an advisory committee to assist in its functions; providing for appeals from decisions of the board; and providing penalties for violations.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the House acceded to the request of the Senate for the return of the bill, H. 270, to the Senate for further consideration.

And said bill was forthwith returned to the Senate.

LEAVES OF ABSENCE

On motion of Mr. Owens (W), leaves of absence were granted to Messrs. Jackson (F) and Foshee due to absence from the State.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 143. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business for the Thirty-fourth Legislative Day, taking precedence over any other business in the House for this day:

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Senate Messages

Uncontested Local Bills

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On motion of Mr. Merrill, H. R. 143 was adopted.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendments, and it was read a second time and placed on the Calendar, to-wit:

S. 45 (with amendments). To prohibit the exposing of obscene and harmful materials to persons eighteen years of age and older; to define terms and to prescribe penalties.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 257. To prohibit the offer for sale of goods, wares or merchandise where the offer includes the unsolicited sending of such goods, wares or merchandise not requested by the recipient; and to declare the same an unconditional gift to the recipient.

S. 287. To make a supplemental appropriation to the Commission on Physical Fitness.

S. 517. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an Act providing for appointment and designation of Supernumerary Circuit Judges.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 566 (with amendment). To authorize and direct the director of conservation to execute on behalf of the State of Alabama a proper conveyance of certain real property to the Board of Trustees of the University of South Alabama.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 720. To authorize county and city boards of education to use certain portions of federal funds allocated pursuant to Title 1 for part payment of the salaries and expenses of certain county and city superintendents of education, and to provide for the determination of such proportionate amounts.

S. 749. To amend Section 712, Title 51, Code of Alabama, as amended, relative to the maintenance of the records of motor vehicle registration.

S. 778. To repeal Act No. 175, S. 387 of the Regular Session of 1969, which provides for abatement of ad valorem taxes on property acquired by condemnation or otherwise by the State of Alabama or any agency or instrumentality thereof.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 687. To provide further for the management of public records of all of the counties of the state; to provide for the appointment and compensation of a county records administrator; to prescribe his authority, powers and duties, and to appropriate funds for such purposes.

S. 688. To amend Act No. 565, Regular Session 1955, (Acts 1955, p. 1227) which act relates to the management of the public records of the state, by reducing the number of members of the county records commission and providing expense allowances for the members of said commission.

Mr. Owen (Baldwin), Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 220. To amend further Act No. 533, S. 166, approved September 13, 1957, (Acts of Alabama, 1957 Regular Session, page 750), entitled, "An Act To create a Board to be known as the State Board of Registration for Foresters; to provide for the qualification of members of said Board; to provide for the appointment of the members of said Board; to provide for their terms of office; to provide for the organization of said Board; to provide for the powers and duties of said Board; to provide for the registration of Foresters; to provide for the recording of licenses; to provide for the definition of the practice of Forestry; to provide for the revocation of licenses; to provide for fees for the issuance and recording of such licenses; to provide for reciprocity; to create a special fund to be known as the 'Professional Foresters Fund', and to regulate expenditures therefrom; to repeal all laws in conflict with this Act; and to make an appropriation," as amended by Act No. 141, S. 108, approved September 15, 1961, (Acts of Alabama, 1961 Special Session, page 2082).

Mr. Cook (Jefferson), Chairman of the Standing Committee on Transportation, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1501. To amend further Section 1 of Act No. 833, S. 128, Regular Session 1965 (Acts 1965, p. 1564) as amended, which act provides a health insurance plan for employees of the State of Alabama, by including employees of certain county health departments under such plan.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 582. To alter, rearrange and extend the corporate limits of the Town of Kennedy, Lamar County, Alabama.

H. 1554. To further amend Section 11 of Act No. 471 of the Alabama Legislature, approved November 13, 1959 (Acts of Alabama 1959 Regular Session, pages 1170, et seq.), entitled "An Act to levy additional county privilege license and excise taxes for public school purposes in Chilton County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama of 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution and use of the proceeds thereof; providing for the administration and enforcement of the Act, and prescribing penalties," as heretofore amended by Act No. 55 of the 1963 Second Special Session of the Alabama Legislature, approved April 23, 1963 (Acts of Alabama, 1963, pages 219, et seq.).

H. 1557. Relating to counties having populations of not less than 25,700 nor more than 25,900; to provide for the compensation of the chief deputy sheriff and certain other deputy sheriffs in such counties.

S. 802. To provide for an election to be held to allow the electorate of Marshall County to vote on whether or not said county shall transfer certain county functions in relation to the construction, repair and maintenance of public roads and bridges to the state highway department; and providing for the reorganization of the Marshall County Commission on Government and Finance as it now exists; abolishing same and establishing in lieu thereof the Marshall County Commission; and providing that this act shall become operative only if approved at the referendum held as herein provided.

S. 831. To validate amounts expended by the board of revenue, court of county commissioners, or other like governing body, of any county with not less than 42,000 nor more than 46,000 population, according to the last or any subsequent federal decennial census, for gifts to hospital patients of the county, holiday advertisements by the county, premiums paid on bonds of the coroner, and appropriations made to private schools during the period October 1, 1964 through September 30, 1966.

S. 875. To apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional allowances for clerk hire fund for the office of Probate of such counties.

S. 877. Relating to counties having populations of not less than 17,800 nor more than 18,700, according to the most recent federal decennial census; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws.

S. 890. Relating to counties having populations of not less than 17,800 nor more than 18,700, fixing the compensation of the Judge of the Inferior Court in such counties; providing that the Circuit Clerk in such counties shall be the ex-officio clerk of said Inferior Court; fixing the compensation of such Clerk, and providing for the institution of prosecutions for felonies, in such Inferior Court by affidavit before such Clerk, and upon writ issued by him.

S. 878. To fix the compensation of the deputy sheriffs in counties having populations of not less than 17,800 nor more than 18,700.

Mr. Grainger, Vice Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 856. Creating and establishing a county-wide personnel system at the option of the governing body of the county for all counties of the State of Alabama having a population of not less than 115,000 and not more than 165,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Mr. Fine, Chairman of the Standing Committee on Highway Safety, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 70 (with amendment). Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Mr. Downing, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 260. Relating to Mobile County: To amend further Section 1 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), placing the Sheriff of Mobile County, Alabama, on a salary basis.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 874. To alter, rearrange and extend the boundary lines and corporate limits of the City of Decatur, in Morgan County.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Jackson (T):

H. J. R. 144. WHEREAS Carl Ross Jr., of Bessemer, one of that city's leading attorneys, passed away this week; and

WHEREAS Carl Ross Jr., was well known throughout the State and in his community; and

WHEREAS Carl Ross Jr., was highly regarded professionally by his fellow attorneys in Jefferson County and by the entire membership of the Alabama State Bar; and

WHEREAS The Bar of Alabama, The Profession of Law, and The Community of Bessemer have suffered a grievous loss at his passing, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of Carl Ross Jr., and express our deepest sympathy to his family.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Mrs. Carl Ross Jr., and to Carl Ross Sr.

On motion of Mr. Jackson (T), the rules were suspended and H. J. R. 144 was adopted.

Also:

By Mr. Downing:

H. J. R. 145. WHEREAS, the decisions of the Supreme Court of the United States have adjudged and decreed that every person accused of crime must have legal council to represent him from the time of his arrest through each and every preliminary court and trial court of the several states of our nation, and

WHEREAS, it has become extremely difficult for the judges of said courts to appoint legal council because there are no funds or very little funds available to pay for such representation, and

WHEREAS, the courts have no criteria for determining when a person charged of crime is indigent and without funds with which to employ an attorney, and

WHEREAS, it has become apparent that many persons accused of crime claim to be indigent when in fact they are not, and

WHEREAS, some counties in the State of Alabama have passed or comtemplate passing local bills to deal with the problem of indigent defendants, the appointment of legal council, rules and regulations dealing with one type or another of the Public Defender concept or program, and

WHEREAS, if a study is not made of the situation there will be confusion in the laws of the State of Alabama pertaining to the appointment of legal council for indigent defendants and no adequate comprehensive program will be developed to eleviate the situation in which the State of Alabama finds itself.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, That there shall be a joint interim committee on the feasibility of a Public Defender program in Alabama, to meet on call of its chairman during the interim between the day of passage of this resolution and the tenth legislative day of the 1971 regular legislative session, which committee shall make a study of indigent defendants in criminal cases in the courts of the State of Alabama; the appointment of attorneys to represent indigent defendants; the mode of determining indigency of said persons charged with crime; cases and circumstances which require representation by a Public Defender or by voluntary representation by members of the Alabama Bar; inquiry into ways and means to implement any program recommended; to hold hearings; and to report its findings, conclusions and recommendations to the Governor and to each House of the Legislature at the 1971 regular session and to any intervening regular or special session.

The committee shall consist of four members from the House of Representatives and four members from the Senate of the State of Alabama. The chairman of said committee shall be appointed by the Speaker of the House of Representatives. The chairman of the committee shall set the schedule and program for committee work; appoint a committee clerk if necessary; shall fix the days and hours of meetings and conducting hearings and the examination of witnesses who shall from time to time appear before the committee and said chairman may appoint subcommittees and invest them with such authority as may be necessary to conduct the subcommittees business and expedite the work assigned.

On motion of Mr. Downing, the rules were suspended and H. J. R. 145 was adopted.

Also:

By Messrs. Owen (Baldwin), Bowers, Money and Brannan:

H. J. R. 146. WHEREAS, the State of Alabama, and the County of Baldwin in particular, suffered a distinct loss in the passing of one of its most beloved and esteemed citizens, Mr. J. Fred Thrasher on August 13, 1969; and

WHEREAS, Mr. Thrasher served our country with distinction overseas in World War II and his fellow veterans as Post Commander of Post 3568 Veterans of Foreign Wars; and

WHEREAS, Mr. Thrasher served his county many years without compensation as coroner and tirelessly served his fellowman with many thoughtful kindnesses that will keep his memory alive for years to come in the hearts of his host of friends;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, That we deeply regret the passing of Mr. Thrasher and extend our heartfelt sympathy to the surviving members of his family to whom copies of this resolution shall be sent.

On motion of Mr. Owen (Baldwin), the rules were suspended and H. J. R. 146 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Goodwyn and Pierce:

S. 858. Relating to counties having populations of not less than 150,000 nor more than 300,000, according to the most recent federal decennial census; providing for participation of school lunchroom managers and assistants to such managers who are employed by the county board of education or a city board of education in such county in the Employees' Retirement System of Alabama; requiring the employing board of education to take such action as is required to bring such lunchroom managers and their assistants under the retirement system in the manner prescribed in Section 12 of Act No. 515, H. 93, of the Regular Session of 1945, as amended; and directing the county governing body to appropriate and pay out of county funds to the county board of education or a city board of education, as the case may be, the amounts needed to pay the employer's contributions to the retirement system.

Also:

By Mr. Stone:

S. 896. Relating to counties having populations of not less than 41,000 nor more than 45,000 according to the most recent federal decennial census; providing further for the handling and use of the proceeds of gasoline excise taxes heretofore levied by the county governing bodies in any such counties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 858. Local Legislation No. 4.

S. 896. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. O'Bannon:

S. 897. Relating to counties having populations of not less than 46,500 nor more than 48,000, according to the most recent federal decennial census; and to fix the compensation of the solicitor of the law and equity courts in such counties; to repeal conflicting laws.

Also:

By Mr. Pelham:

S. 608. To amend Section 1 of Act No. 34 (H. 45) of the First Extraordinary Session of 1969 of the Legislature of Alabama, approved May 14, 1969, entitled "An Act authorizing the county governing body of each of the several counties to levy, assess and collect franchise, excise and privilege license taxes in order to raise funds to be used for the public schools in the county," so as to prescribe certain limitations on the levying of such taxes.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 897. Local Legislation No. 1.

S. 608. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Leonard:

S. 894. To amend Act No. 263, S. 410, Regular Session 1967 (Acts 1967, p. 743), an Act regulating further the sale and consumption of alcoholic beverages in all counties having populations of not less than 65,000 nor more than 95,000 according to the most recent federal decennial census, in order to provide further for places in which such beverages may be sold, to regulate further the rate of such tax, to authorize and provide for the use of stamps, crowns or decals to evidence

payment of the tax levied by said Act, and to provide further for the enforcement of the Act and for the distribution and use of the proceeds thereof, and to prescribe additional penalties for violations of the Act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 894. Local Legislation No. 1.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Givhan:

S. 660. To authorize the Commissioner of Agriculture and Industries to approve and certify soil testing laboratories that make recommendations for fertilizer or plant food needs for agricultural purposes; to authorize the State Board of Agriculture and Industries to adopt rules and regulations prescribing requirements and standards for the certification of soil testing laboratories and to provide an exemption therefrom; to prohibit false or fraudulent representations concerning certification as authorized hereunder and to provide a penalty for violations.

Also:

By Mr. Givhan:

S. 49. To provide penalties for persons convicted of stealing fish from persons engaged in fish farming.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the title of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 660. Agriculture.

S. 49. Agriculture.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Torbert:

S. 68. To amend further Section 385, Title 51, Code of Alabama 1940 as amended, to allow deductions for charitable contributions made to out of state institutions by nonresident taxpayers.

Also:

By Mr. O'Bannon:

S. 617. To provide for and regulate liens for work, labor and materials for installing paving, curbs, gutters, storm sewers, sanitary sewers and other improvements in or on public streets, avenues, alleys and other public ways.

Also:

By Mr. Cooper:

S. 483. To further amend Title 22, Section 255, Code of Alabama 1940, as last amended by Section 5 of Act No. 397, Acts of Alabama 1957 page 557, approved September 4, 1957, by changing a penalty from a misdemeanor to a felony.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 68. State Administration.

S. 617. Highway Safety.

S. 483. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. McDermott:

S. 895. To provide for the revision, codification, digesting and promulgation of the public statutes of this State; to authorize the Governor to enter into a contract for such revision, codification, digesting and promulgation of such statutes; to designate the Legislative Council as a legislative committee to read, revise, amend and correct the manuscript of the Code; and to make an appropriation to effect the purposes of this Act.

Also:

By Mr. Torbert:

S. 66. To provide for assessment of reasonable fees for attorneys prosecuting the cause in suits for recovery of past due alimony, maintenance or support.

Also:

By Mr. Radney:

S. 138. To authorize the governing bodies of municipal corporations of this state to elect a deputy recorder or deputy recorders; such deputy recorders, when so elected and serving, shall have and possess the identical power and authority granted by law to recorders; providing for the term of office and salary of such deputy recorders.

Also:

By Messrs. Giles, Folsom, Turner, Bailes, Radney, Torbert, McCarley, Nabors, Albea, Skidmore, Leonard, Carr, Lindsey, Engle, McDermott, Pelham and Branyon:

S. 575. To provide for uniformity in designating county governing bodies in the several counties of this state.

Also:

By Mr. Cooper:

S. 477. To make it unlawful and constitute a misdemeanor to build, maintain or use an insanitary sewage collection, treatment and disposal facility within the State, but excluding certain plumbing within municipalities; to authorize the State Board and/or County Boards of Health to adopt rules and regulations for the administration of this Act; to authorize the State Board of Health and/or County Boards of Health to require the installation of required type and number of facilities; to require the submission of plans and specifications applying to sewage collection, treatment and disposal to the State Board of Health and/or County Boards of Health; provides for the approval of plans and specifications and issuance of permits for construction; to repeal Title 22, Section 73 Code of Alabama 1940 and Code of Alabama Recompiled 1958; and to provide penalties for violation of this Act, and certain rules and regulations.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows.

S. 895. Judiciary.

S. 66. Judiciary.

S. 138. State Administration.

S. 575. Local Government.

S. 477. Health.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 975. Providing further for payment of the salaries of state officers and employees; amending Section 148, Title 41, Code of 1940.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Hobbie, the House concurred in and adopted the Senate amendment to the bill, H. 975, said Senate amendment being as follows:

FINANCE AND TAXATION COMMITTEE
SUBSTITUTE FOR H. B. 975

A BILL
TO BE ENTITLED
AN ACT

Providing further for payment of the salaries of state officers and employees, amending Section 148, Title 41, Code 1940.

Be It Enacted by the Legislature of Alabama:

Section 1, Code of Alabama 1940, Section 148, is hereby amended to read as follows:

Section 148. The salaries of all officers and employees of the State of Aabama shall be payable bi-weekly except where the day on which such salaries are payable is a holiday such salaries shall be payable on the last working day preceding such holiday. Provided, however, that the first payment under such plan shall be made on October 17, 1969, for the payment of salaries accruing through October 14, 1969, and payment shall be made bi-weekly thereafter. Every State officer or employee whose salary is fixed in accordance with the pay plan of the State Merit System shall be entitled to receive one-half of his monthly salary as prescribed in the pay plan at the end of such pay period. The salary of every other officer or employee shall be payable bi-weekly and shall be an amount which is to be determined by dividing the number of pay periods in the fiscal year into his annual salary. Any unpaid salaries may be paid upon the expiration of the term of employment of the officer or employee.

Section 2. If at the end of a fiscal year a pay period overlaps from one fiscal year into the next fiscal year, payment for the total pay period shall be made from the new fiscal year's appropriation.

Section 3. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 4. This Act shall become effective on October 1, 1969.

AMENDMENT TO F. & T. SUBSTITUTE:

Amend H. B. 975 by adding at the end of Section 148 as proposed in Section 1 of said H. B. 975 the following:

"This section shall apply to the employees of the merit system for county health services in the Alabama Department of Public Health."

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Collins (W)	Grainger	Lyons
Agee	Cook (Coffee)	Grayson	Malone
Bassett	Cook (Jefferson)	Hain	Manley
Berryman (W)	Culver	Hardin	Marr
Blanton	Dobbs	Harris	Mays
Bowers	Downing	Haygood	McDonald
Brannan	Drake	Higginbotham	McElhaney
Brassell	Edington	Hobbie	McLain
Burgess	Ellis	Holman	Meeks
Burgreen	Fine	Jackson (T)	Melton
Cherner	Gloor	Kilgore	Merrill
Collier	Graham	Laxson	Money

Nettles	Pearson	Snell	Tuck
Neville	Robertson	Starnes	Turnham
Owen (Baldwin)	Sessions	Steagall	Williams
Owens (W)	Shumate	Stembridge	Wright
Paulk	Slate	Stubbs	—67

RESOLUTIONS

The following resolutions were introduced:

By Mr. Cook (Coffee):

H. J. R. 147. WHEREAS, only 4 states, including Alabama, have municipal and county gasoline taxes; and

WHEREAS, 247 of the 250 city or municipal gasoline taxes in the United States are in Alabama; and

WHEREAS, only 18 of the nation's 3,068 counties now have local taxes on gasoline and 11 of these counties are located in Alabama; and

WHEREAS, studies revealed that the enactment of local gasoline taxes in Alabama up and above the 7¢ state tax and 4¢ federal tax create very difficult marketing additions for the wholesale and retail oilmen and also create a great deal of confusion in the mind of the consumer who does not understand how these local taxes vary across the state,

NOW THEREFORE BE IT RESOLVED by the House of Representatives of the State of Alabama, the Senate Concurring, that there is hereby established a select interim committee composed of five members of the House of Representatives, appointed by the Speaker of the House, and three members of the Senate, appointed by the President of the Senate; to hold such meetings as might be necessary and to interview such witnesses as might be necessary to determine the effect of local city and county gasoline taxes on the motoring public, revenue for city and county governing bodies and the marketing conditions for wholesale and retail oilmen.

BE IT FURTHER RESOLVED, that this select interim committee shall make such recommendations to the next Regular Session of the Alabama Legislature as it may deem necessary to correct any inequities existing as a result of local city and county gasoline taxes.

BE IT FURTHER RESOLVED, that committee members shall receive their usual legislative per diem and expenses when engaged in the performance of official duties as members of such committee. Such per diem and expenses shall be paid out of funds appropriated to the use of the legislature, but the total amount so expended shall not exceed $10,000.00 per annum.

On motion of Mr. Cook (Coffee), the rules were suspended and H. J. R. 147 was adopted.

Also:

By Mr. Burgess:

H. J. R. 148. RESOLVED BY THE HOUSE, SENATE CONCURRING, That the bill, H. B. 513, which has passed both houses be designated and known as "The Ellis-Albea Bill."

On motion of Mr. Burgess, the rules were suspended and H. J. R. 148 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 820. To further amend Act No. 661 of the 1951 Regular Session approved September 4, 1951 (1951 General Acts, Vol. 2, p. 1125) as amended by Act No. 17 of the Second Extra Session of the Legislature of 1956 approved March 16, 1956 (1956 General Acts, Vol. 1, p. 276), as amended by Act No. 680 of the 1961 Regular Session approved September 8, 1961 (1961 General Acts, Vol. 1, p. 961), which Act and amendments thereto define and regulate the issuance of licenses to barbers, barber shops, barber colleges and other like business and establishes a barber commission in all counties of the State having a population of 400,000 or more, according to the last or any subsequent federal census, and establishing an inspector, and granting powers to the barber commission to make rules and regulations.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Jefferson), the House concurred in and adopted the Senate amendment to the bill, H. 820, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To further amend Act No. 661 of the 1951 Regular Session approved September 4, 1951 (1951 General Acts, Vol. 2, p. 1125) as amended by Act No. 17 of the Second Extra Session of the Legislature of 1956 approved March 16, 1956 (1956 General Acts, Vol. 1, p. 276), as amended by Act No. 680 of the 1961 Regular Session approved September 8, 1961 (1961 General Acts, Vol. 1, p. 961), which Act and amendments thereto define and regulate the issuance of licenses to barbers, barber shops, barber colleges and other like business and establishes a barber commission in all counties of the State having a population of 400,000 or more, according to the last or any subsequent federal census, and establishing an inspector, and granting powers to the barber commission to make rules and regulations.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 3 of Act No. 661 of the 1951 Regular Session approved September 4, 1951 (1951 General Acts, Vol. 2, p. 1125), as amended by Act No. 17 of the Second Extra Session of the Legislature of 1956 approved March 16, 1956 (1956 General Acts, Vol. 1, p. 276), as further amended by Act No. 680 of the 1961 Regular Session, approved September 8, 1961 (1961 General Acts, Vol. 1, p. 961), which Act and the amendments thereto define and regulate the issuance of licenses to barbers, barber shops, barber colleges and other like business and establishes a barber commission in all counties of the State having a population of 400,000 persons or more, according to the last or any subsequent federal census, and establishing an inspector, and granting powers to the barber commission to make rules and regulations, be and the same hereby is amended to read as follows:

"Section 3. BARBER COMMISSION: There shall be a Barber Commission for the county consisting of three (3) members, herein at

times referred to as "the Commission". The present members of said Commission having been previously appointed by the County Commission, shall serve for the duration of their term, but in the event of a vacancy existing at the time of taking effect of this Act or occurring in the future, said vacancy shall be filled, and all subsequent members of the Commission shall be selected or appointed in the manner provided in this Act for terms of three (3) years. The members of said Commission shall be nominated by the barbers licensed by the Commission and only those so licensed shall be eligible to vote for nominees for appointment to the Commission. The Commission, at all times, shall be composed of three (3) members, all of whom shall be licensed barbers, who have been so licensed by the Commission for a period of five (5) years prior to their appointment and be actively engaged as barbers at the time of their appointment. The Commission shall, sixty (60) days prior to the expiration of the term of any member of the Commission for such county, give notice in writing to the licensed barbers that there will be a vacancy on the date of the expiration of the term of the member whose term is about to expire; or if a vacancy be caused by any reason, other than the expiration of the term, the Commission shall, within thirty (30) days after such vacancy occurs, give notice to the licensed barbers of the existence of such vacancy. In either event, the licensed barbers will be requested to nominate two (2) licensed barbers to fill each vacancy. Nominations shall be made by petition signed by not less than twenty-five (25) licensed barbers, which said petitions may be in substantially the following form: "We, the undersigned licensed barbers do hereby nominate (insert name of person who is required to possess the qualifications herein provided at the time of such nomination for the barber vacancy) as a member of the County Barber Commission for the term of two (2) years beginning (insert beginning of term) and ending (insert ending of term), unless earlier terminated by death, resignation, or removal." Each member of the Commission must be over the age of twenty-five (25) years and licensed by the Commission as a barber. All nominations are required to be filed with the Commission on or before twenty (20) days from the date fixed for mailing ballots for nomination of said members. Upon receipt of the nominations for the members and at the expiration of the time for filing such nominations, the Commission shall cause to be prepared official ballots which shall be numbered and identified in such manner as to prevent anyone employing any ballot other than that forwarded to the licensed barbers entitled to vote. Only those barbers licensed at the time the vacancy occurs shall be entitled to vote for representatives. In addition to the ballot, the Commission shall provide and furnish to the Probate Judge of the County sufficient envelopes addressed to the Probate Judge of the County and properly stamped with United States postage to forward to each person eligible to vote in said election. The Commission shall also furnish the Probate Judge of the County with such verification as may be deemed advisable by the Probate Judge, a list of the names and addresses of all persons entitled to vote in said election. The Probate Judge shall then mail the ballots and return envelopes which shall be opened on a day designated by the Probate Judge in the notification to all persons eligible to participate in such election. On the day designated in the notification, the ballots shall be counted and tabulated by the Probate Judge of the County, who shall declare the two (2) persons receiving the highest and the second highest number of votes to be nominees for such vacancy. If more than one vacancy exists at any time, there shall be nominated in the manner herein designated and elected two (2) members for each such vacancy. The names of the two (2) persons receiving the highest number of votes for each vacancy shall be certified by the Probate Judge to the Governor within seven (7) days following the tabulation of ballots. From the two (2) names submitted for each member vacancy to the Governor, he shall immediately appoint one (1) member to fill each such member

vacancy on said Board. The Governor may remove a member of the Board upon proof of charges for inefficiency, incompetency, immorality, or professional misconduct. Appointees to the Board shall within ten (10) days after their appointment take an oath or make affirmation before a properly qualified officer that they will faithfully and impartially perform the duties of their office. This oath or affirmation shall be filed with the Probate Judge of the county. The term of the members of said Commission shall be for two (2) years and until their successors are appointed and qualified. There shall be at no time more than two (2) commissioners residing or doing business in any one city, town or village of such county. A majority of the Commission shall constitute a quorum. The Barber Commission shall organize by selecting from its members a chairman, and may do all things necessary or convenient for carrying into effect the provisions of this Act. Each member of the commission shall receive as full compensation for each day actually spent in the work of said commission the sum of Twenty Dollars ($20.00) and not exceeding Four Dollars ($4.00) for expenses thereby incurred. The members of said commission shall be paid for their attendance for at least one barber commission meeting each week; and not more than two additional meetings in one calendar month if in attendance in Court on official commission business. The commission shall appoint, and at its pleasure may discharge, a secretary. The county health officer of such county shall appoint and at his pleasure discharge inspectors. Such inspectors shall be practicing barbers who have had five (5) or more years of experience as a barber. They shall give their full time to their duties and as compensation therefor shall receive a salary to be fixed and paid by the Barber Commission. Neither the secretary nor inspectors shall be related by blood or marriage, to any other person employed by the Commission or to the members of the Commission. Said Commission shall also have the power to employ any other necessary help for the enforcement of this law, outline their duties and fix their compensation subject to the general laws of this State. The Commission shall obtain such office space, furnishing, and other convenience as shall be reasonably necessary for carrying out the provisions of this Act.

The Barber Commission shall have the power and authority to establish and promulgate reasonable sanitary rules and reasonable regulations for the conduct of barbers, apprentice barbers, barber teachers, barber shops, barber schools, and scalp specialists. The Commission and the inspectors are authorized and directed to inspect all barber shops, barber schools and places of business of scalp specialists in the county, and for such purpose any member of the Commission or its duly authorized agent may enter upon the premises of such barber shops, barber schools and scalp specialists any time during business hours. A copy of the sanitary rules and other regulations adopted by said Commission shall be furnished to each licensed shop owner and barber and barber school doing business in the counties hereby affected. The inspectors shall be deputized by the Sheriff of the county and by each succeeding sheriff that shall be elected in the county. The inspectors shall make bond in the amount of Two Thousand Dollars ($2,000.00) covering his acts as said inspector of the Barber Commission of the county. The sheriff of the county and members of the Barber Commission, shall not be liable for any of the acts of the inspectors. The bond premium shall be payable by the Barber Commission of the county out of the funds of the Barber Commission. The inspectors shall have the power and authority to arrest persons guilty of a violation of any of the provisions of this Act, or the health and sanitation laws of this State or of any municipality in the county hereby affected and also for a violation of the printed rules and regulations adopted by this Commission under authority of this Act. He is further authorized to take and preserve any evidence of such violations until final disposition of said cause. The principal office of said Commission shall be located at the

county seat. The Commission shall adopt a seal, with such design as it may prescribe engraved thereon, by which it shall authenticate its proceedings. Copies of all records and papers in the office of the Commission duly certified and authenticated by its seal shall be received in evidence in all courts with like effect as the original. The Barber Commission shall make and keep on file in its office an annual report, which report shall summarize all the activities of the Commission relative to the examining and licensing of barbers, barber apprentices, barber teachers and scalp specialists and the suspension or revocation of such licenses or refusal of issuance of license or renewal license and the issuance and revocation of licenses of barber shops, barber colleges and other like businesses, and shall also show all collections and all disbursements of funds collected pursuant to this Act. All records kept in the office of the Commission under the authority of this Act shall be open to public inspection at all reasonable times. All fees and charges collected by the Commission under the provisions of this Act shall be paid into the treasury of such county and shall constitute a separate fund to be disbursed by the county treasurer on order of the Barber Commission and with the approval of the chairman of such Commission. All expenses incurred by the Barber Commission, including the compensation of members and their employees and compensation and expense of inspectors, shall be paid by the county treasurer out of such separate funds upon checks signed by the chairman of said Barber Commission and countersigned by one other member of the Barber Commission, provided that the total expense for every purpose incurred shall not exceed the total fees and charges collected and paid into the county treasury by said Barber Commission and all monies in excess of One Thousand Dollars ($1,000.00) remaining in said separate fund at the end of the fiscal year not expended as herein provided shall become a part of the general fund of the county."

Section 2. All laws or parts of laws in conflict with the provisions of this Act hereby are repealed.

Section 3. This Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

AMENDMENT TO H. B. 820 AS SUBSTITUTED

Amend Section 1 of H. B. 820 as substituted by deleting the four sentences on page 3 and 4 of the substitute beginning with "the names of the two (2) . . . . . ." and sustituting in lieu thereof the following words and figures:

"The names of the two (2) persons receiving the highest number of votes for each vacancy shall be placed on a ballot and mailed by the Probate Judge with return envelopes to the licensed barbers entitled to vote. The voting procedure above set out shall be followed and upon receipt of the ballots the Probate Judge shall announce the name of the person who received the highest number of votes as elected to fill the vacancy on the Barbers Commission. The Governor of Alabama may remove a member of the Board upon proof of changes for ineffeciency, incompentency, immorality, or professional misconduct. Any person elected to the Board shall within ten (10) days after their election take an oath or make affirmation before a properly qualified officer that they will faithfully and impartially perform the duties of their office."

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Bassett	Blanton	Brown
Agee	Beck	Brannan	Burgess
Bank	Berryman (W)	Brassell	Burgreen

Cherner	Grainger	McCorquodale	Pruitt
Collier	Grayson	McElhaney	Robertson
Collins (W)	Hain	McLain	Sessions
Cook (Coffee)	Hardin	Melton	Shumate
Crane	Headley	Merrill	Slate
Crawford	Higginbotham	Money	Snell
Culver	Jackson (T)	Nettles	Starnes
Dill	Laxson	Neville	Steagall
Dobbs	Lyons	Owen (Baldwin)	Stembridge
Doss	Malone	Owens (W)	Stubbs
Downing	Manley	Paulk	Tuck
Ellis	Marr	Pearson	Wright
Graham	Mays	Perloff	Young

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 471. To provide for the compensation to be paid circuit district attorneys by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Jefferson), the House concurred in and adopted the Senate amendment to the bill, H. 471, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide for the compensation to be paid the circuit district attorney by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Be It Enacted by the Legislature of Alabama:

Section 1. In judicial circuits composed of one county having a population of 600,000 or more according to the last or any subsequent federal decennial census, there shall be paid to the circuit district attorney of such circuits in addition to the compensation paid to such circuit district attorney by the State of Alabama, the sum of Four Thousand Five Hundred Dollars ($4,500.00) per annum which shall be paid in equal monthly or semi-monthly installments out of the general treasury of the county; provided, however, that if the said four thousand five hundred ($4,500.00) per annum when added to the salary paid to such district attorney by the State of Alabama does not produce a total annual salary of as much as twenty one thousand dollars ($21,000.00) per annum, then the amount that shall be paid per annum by such county to such district attorney, in addition to the compensation paid to him by the State of Alabama, shall be such an amount as will produce a total annual salary of twenty one thousand dollars ($21,000.00). The county supplement hereby provided to be paid to such circuit district attorney shall be in lieu of all county supplements heretofore payable to such circuit district attorney.

Section 2. This act shall become effective at the beginning of the next term of office of such circuit district attorneys.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jackson (T)	Neville
Agee	Culver	Laxson	Owen (Baldwin)
Bank	Dill	Lyons	Owens (W)
Bassett	Dobbs	Malone	Paulk
Beck	Downing	Manley	Perloff
Berryman (W)	Edington	Marr	Pruitt
Blanton	Ellis	Mathews	Robertson
Brannan	Graham	Mays	Sessions
Brassell	Grainger	McCorquodale	Shumate
Burgess	Grayson	McDonald	Smith
Burgreen	Hain	McElhaney	Snell
Cherner	Hardin	McLain	Starnes
Collier	Harris	Meeks	Steagall
Collins (C)	Haygood	Melton	Stembridge
Collins (W)	Headley	Merrill	Tuck
Cook (Jefferson)	Higginbotham	Money	Young
Crane	Hobbie	Nettles	

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And the bill, H. 471, as thus amended:

To provide for the compensation to be paid the circuit district attorney by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Was read a third time at length and passed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jackson (T)	Neville
Agee	Culver	Laxson	Owen (Baldwin)
Bank	Dill	Lyons	Owens (W)
Bassett	Dobbs	Malone	Paulk
Beck	Downing	Manley	Perloff
Berryman (W)	Edington	Marr	Pruitt
Blanton	Ellis	Mathews	Robertson
Brannan	Graham	Mays	Sessions
Brassell	Grainger	McCorquodale	Shumate
Burgess	Grayson	McDonald	Smith
Burgreen	Hain	McElhaney	Snell
Cherner	Hardin	McLain	Starnes
Collier	Harris	Meeks	Steagall
Collins (C)	Haygood	Melton	Stembridge
Collins (W)	Headley	Merrill	Tuck
Cook (Jefferson)	Higginbotham	Money	Young
Crane	Hobbie	Nettles	

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RESOLUTION

The following resolution was introduced:

By Messrs. Doss and Slate:

H. J. R. 149. WHEREAS Mr. Barrett Shelton Sr., long-time editor of the Decatur Daily, one of Alabama's leading newspapers, is to receive a much deserved honorary degree of Doctor of Laws from the University of Alabama; and

WHEREAS Mr. Shelton has for many years been greatly responsible for the growth and expansion of the city of Decatur and the north Alabama area; and

WHEREAS Mr. Shelton has been particularly effective in promoting the improvement of the area in the attraction of new industry and in the enlargement and expansion of needed medical services and facilities; and

WHEREAS much credit is due Mr. Shelton for his untiring efforts in every field which effected the progress of the entire Tennessee Valley, and this body wishes its pride in Mr. Shelton's achievements to be a permanent record in the archives of the Legislature; now therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most heartily commend Mr. Barrett Shelton upon the occasion of his receiving the honorary degree of Doctor of Laws from the University of Alabama.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Mr. Barrett Shelton Sr., and to Mr. Barrett Shelton Jr.

On motion of Mr. Doss, the rules were suspended and H. J. R. 149 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 779. To establish a pension fund for Alabama Fire Fighters to be known as the Alabama Fire Fighters Pension Fund; to prescribe conditions for joining, withdrawing from, and continuing membership in the fund; to regulate the payment of pensions and benefits from the fund; to provide for the management and administration of the fund by a board of trustees; to prescribe the membership of the board, to provide for the election and terms of office of members thereof, and prescribe their powers and duties; to establish the office of secretary-treasurer of such board, provide for his employment, his salary, and his bond; and for the purpose of financing the fund to levy and provide for the collection of an additional tax on insurers against fire, lightning, and related hazards, to fix membership dues, and authorize gifts, contributions and donations to the fund.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Coffee), the House concurred in and adopted the Senate amendment to the bill, H. 779, said Senate amendment being as follows:

Amend House Bill No. 779 be deleting therefrom Sections 4 and 5 in their entirety and substitute therefor the following:

"Section 4. The Board of Trustees and the Secretary-Treasurer heretofore selected and serving under the provisions of Act No. 345, 1967 Regular Session, shall continue to serve in their same capacities until such time as the Governor shall appoint the new Board and Secretary-Treasurer and they shall take the oath of office and enter upon their duties as is provided hereinafter. The new Board of Trustees

of the Fire Fighters Pension Fund shall consist of seven (7) members, as follows: (1) The Governor, ex officio, (2) The State Superintendent of Insurance, ex officio, (3) the Secretary-Treasurer of the Alabama Fire Fighters Pension Fund, who shall be appointed by the Governor from a list of three names submitted from the membership of the Fire Fighters Pension Fund: four trustees shall be appointed by the Governor from a list of twelve nominees submitted from the membership of the Fire Fighters Pension Fund to positions designated No. 1, 2, 3, and 4. The trustees in Positions No. 1 and No. 2 shall each serve for a term of four years from the effective date of this Act and the ones filling positions No. 3 and No. 4 shall each serve for a term of two years from such date. Successors to these first members of this board shall be appointed to the respective positions by the Governor in the same manner and from nominees submitted from the membership of the Fire Fighters Pension Fund as is hereinabove provided, and their terms shall be four years and until their successors have been elected and have qualified by taking the prescribed oath. Trustees may be re-appointed to succeed themselves.

Any vacancy occurring within a term in any of these four positions shall be filled by appointment by the Governor in the manner prescribed hereinabove and the person appointed to fill a vacancy occurring within a term shall only hold for the unexpired term of his predecessor.

Members of the board shall receive no compensation for their services thereon; but they may be reimbursed from the fund, herein established, for all necessary expenses that they incur through services on the board of trustees.

The board of trustees shall select a chairman and a vice-chairman from within its membership."

"Section 5. There is hereby created an office of Secretary-Treasurer of the Alabama Fire Fighters Pension Fund. The Secretary-Treasurer shall be appointed by the Governor as is provided in Section 4 and shall serve at the pleasure of the Governor. His compensation shall be fixed by the board. He shall also be reimbursed for actual expenses incurred through services when so directed by the board. The members of the Board of Trustees appointed by the Governor and the Secretary-Treasurer shall be bonded by a corporate surety authorized to do business in Alabama in the amount of $25,000 each. The cost of such bond shall be paid by the Alabama Fire Fighters Pension Fund. The Secretary-Treasurer shall be entitled to vote on all matters coming before the Board, except those dealing with his office."

Yeas 57; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Paulk
Agee	Downing	Kilgore	Pearson
Bassett	Drake	Lyons	Perloff
Beck	Edington	Malone	Pruitt
Berryman (W)	Ellis	Manley	Robertson
Blanton	Garrett	Mays	Sessions
Bowers	Graham	McDonald	Snell
Brannan	Grainger	Meeks	Starnes
Brassell	Grayson	Melton	Steagall
Burgess	Hain	Money	Stubbs
Burgreen	Hardin	Nettles	Tuck
Collier	Headley	Neville	Turnham
Collins (W)	Higginbotham	Owen (Baldwin)	Wood
Cook (Coffee)	Holman	Owens (W)	Young
Crawford			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1392. To establish an Inferior Court in Precincts 4, 5, 6, 7, 8, 9 and 10 and all other precincts lying within or partly within the City of Birmingham in lieu of all Justices of the Peace in said precincts, and in lieu of all Notaries Public with powers of Justices of the Peace and with concurrent Jurisdiction with all other Justices of the Peace and Inferior Courts created in lieu of Justices of the Peace in the Birmingham Division of Jefferson County, Alabama, where the amount in controversy is $100.00 or less; this court shall be a court of record and shall have concurrent jurisdiction with the Circuit Court, Tenth Judicial Circuit of Alabama, Birmingham Division, sitting in Birmingham, and with such other inferior courts in Jefferson County where the amount in controversy exceeds the sum of $100.00 and does not exceed the sum of $500.00; to define the jurisdiction and powers of said Court, the judge, clerks and other officers thereof: to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election, and the payment of his salary: to provide for the abolishment of the Court of General Sessions of Jefferson County formerly known as the Court of Common Claims: to provide for the transfer of all pending cases and records of the said court to the court created by this Act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Dill, the House concurred in and adopted the Senate amendment to the bill, H. 1392, said Senate amendment being as follows:

SENATE AMENDMENT TO HOUSE BILL 1392

Amend House Bill 1392 by deleting Section 35 thereof and substituting in lieu thereof the following

Section 35. This Act shall become effective on January 1, 1971.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Doss	Malone	Perloff
Agee	Downing	Manley	Pruitt
Bank	Edington	Marr	Robertson
Bassett	Garrett	Mays	Sessions
Beck	Graham	McCorquodale	Slate
Berryman (W)	Grainger	McDonald	Snell
Blanton	Grayson	McLain	Starnes
Brannan	Hain	Meade	Steagall
Brassell	Hardin	Meeks	Stembridge
Burgreen	Harris	Melton	Stubbs
Cameron	Headley	Money	Tuck
Collier	Higginbotham	Nettles	Waggoner
Collins (C)	Hobbie	Neville	Weeks
Cook (Coffee)	Holman	Owen (Baldwin)	Wright
Cook (Jefferson)	Kilgore	Owens (W)	Yeilding
Culver	Laxson	Pennington	Young
Dill	Lemley		

—66

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 650. To provide a method for issuing motor vehicle license tags by mail in counties having a population of not less than 55,000 nor more than 60,000 according to the last or any subsequent federal decennial census by any Judge of Probate or License Commissioner charged with the duty of issuing such license tag.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 274. To amend Section 142, Chapter 7, Title 52, Code of Alabama, 1940, as amended.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Jefferson), the House concurred in and adopted the Senate amendment to the bill, H. 274, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 142, Chapter 7, Title 52, Code of Alabama, 1940, as amended.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 142, Chapter 7, Title 52, Code of Alabama, 1940, be and it is hereby amended to read as follows:

No fees of any kind shall be collected from children attending any of the first six grades during the school term supported by public taxation; provided, however, that any County or City Board of Education shall be authorized to permit any school subject to its supervision to solicit and receive from such children or their parents or guardians voluntary contributions to be used for school purposes by the school where such children are attending; provided further, that the provisions of this Act shall in no way affect or restrict the right or power of a school board to fix and collect tuition fees or charges from pupils attending schools under the jurisdiction of such board but who live outside the territory over which such board has jurisdiction.

Section 2. This bill shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Downing	Manley	Pennington
Agee	Edington	Marr	Perloff
Bank	Ellis	Mathews	Pruitt
Bassett	Fine	Mays	Robertson
Beck	Garrett	McCorquodale	Sessions
Berryman (W)	Graham	McDonald	Shumate
Blanton	Grainger	McElhaney	Slate
Brannan	Grayson	McLain	Snell
Brassell	Hain	Meade	Starnes
Burgreen	Hardin	Meeks	Steagall
Cameron	Harris	Melton	Stembridge
Collier	Headley	Merrill	Stubbs
Collins (C)	Higginbotham	Money	Tuck
Collins (W)	Hobbie	Nettles	Waggoner
Cook (Jefferson)	Jones	Neville	Weeks
Crane	Laxson	Owen (Baldwin)	Williams
Culver	Lemley	Owens (W)	Wright
Dill	Malone	Paulk	Yeilding
Doss			

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1137. To further amend Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951, (General Acts of Alabama 1951, page 1579, et seq.) entitled: "An Act to create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal Census a Pension and Relief or Retirement and Relief System for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Jefferson), the House concurred in and adopted the Senate amendment to the bill, H. 1137, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

TO FURTHER AMEND ACT NUMBER 929 OF THE REGULAR SESSION OF THE LEGISLATURE OF ALABAMA OF 1951, APPROVED SEPTEMBER 12, 1951 (GENERAL ACTS OF ALABAMA 1951, PAGE 1579, ET SEQ.) ENTITLED: "AN ACT TO CREATE OR PROVIDE IN OR FOR EACH AND EVERY CITY OF THE STATE OF ALABAMA HAVING A POPULATION OF TWO HUNDRED AND

FIFTY THOUSAND OR MORE INHABITANTS ACCORDING TO THE LAST OR ANY SUCCCEDING FEDERAL CENSUS A PENSION AND RELIEF OR RETIREMENT AND RELIEF SYSTEM FOR OFFICERS AND EMPLOYEES OF SUCH CITY AND THEIR WIDOWS AND CHILDREN; TO MAKE THE PROVISIONS OF SUCH SYSTEM RETROSPECTIVE AS WELL AS PROSPECTIVE; AND, SUBORDINATELY, TO DEFINE OFFICERS AND EMPLOYEES OF THE BOARD OF HEALTH OF ANY COUNTY IN WHICH ANY SUCH CITY MAY BE LOCATED AS OFFICERS AND EMPLOYEES OF SUCH CITY FOR THE PURPOSE OF RETROSPECTIVE AND PROSPECTIVE APPLICATION OF THE TERMS OR PROVISIONS OF SUCH SYSTEM", SO AS TO MAKE THE PROVISIONS OF SUCH SYSTEM APPLICABLE ON AND AFTER SEPTEMBER 1, 1969 TO CLASSIFIED SERVICE EMPLOYEES OF THE CIVIL DEFENSE AGENCY WHOSE TERRITORIAL JURISDICTION OR RESPONSIBILITIES INCLUDE THE TERRITORY OF ANY SUCH CITY, AND ALSO APPLICABLE TO CERTAIN EMPLOYEES OF A CIVIC CENTER AUTHORITY.

Be It Enacted by the Legislature of Alabama:

Section 1. That the Title of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama, 1951, page 1579, et seq.), be and said Title is hereby amended to read as follows:

"AN ACT TO CREATE OR PROVIDE IN OR FOR EACH AND EVERY CITY OF THE STATE OF ALABAMA HAVING A POPULATION OF TWO HUNDRED AND FIFTY THOUSAND OR MORE INHABITANTS ACCORDING TO THE LAST OR ANY SUCCEEDING FEDERAL CENSUS A PENSION AND RELIEF OR RETIREMENT AND RELIEF SYSTEM FOR OFFICERS AND EMPLOYEES OF SUCH CITY AND THEIR WIDOWS AND CHILDREN; TO MAKE THE PROVISIONS OF SUCH SYSTEM RETROSPECTIVE AS WELL AS PROSPECTIVE; AND, SUBORDINATELY, TO DEFINE OFFICERS AND EMPLOYEES OF THE BOARD OF HEALTH OF ANY COUNTY IN WHICH ANY SUCH CITY MAY BE LOCATED AS OFFICERS AND EMPLOYEES OF SUCH CITY FOR THE PURPOSE OF RETROSPECTIVE AND PROSPECTIVE APPLICATION OF THE TERMS OR PROVISIONS OF SUCH SYSTEM; TO MAKE THE PROVISIONS OF SUCH SYSTEM APPLICABLE ON AND AFTER SEPTEMBER 1, 1969 TO CLASSIFIED SERVICE EMPLOYEES OF THE CIVIL DEFENSE AGENCY WHOSE TERRITORIAL JURISDICTION OR RESPONSIBILITIES INCLUDE THE TERRITORY OF ANY SUCH CITY, AND TO PROVIDE MEMBERSHIP IN THE SYSTEM FOR CERTAIN EMPLOYEES OF A CIVIC CENTER AUTHORITY IN ANY COUNTY IN WHICH ANY SUCH CITY MAY BE LOCATED."

Section 2. That Section 26 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq.), be and said section is hereby amended to read as follows:

"Section 26. (a) Board of Health Employees. For the purpose of application of the terms of the system, and for such purpose only, and except as may be hereinafter otherwise or differently provided in this and the next succeeding section, the Board off Health shall be deemed constructively a subsidiary board or department of the City during said Health Board's past, present and future existence, and employees thereof shall be deemed constructively employees of the City during all their time in the service of said Board of Health, whether past, present or future, and the retrospective and prospective terms of the system shall be retrospectively and prospectively applied to such constructive employees as fully and restrictively, and with like effect as though said

Board of Health were actually such subsidiary board or department at all times past, present and future, and as though employees thereof were actually employees of the City at all times while in the service of said Board of Health, past, present or future. For the purpose of application of the terms of the system, such constructive employees of the City shall be deemed as in the classified service of the City during such period or periods, whether past, present or future, as they may be or may have been subject to the same civil service system as that to which employees of the City may be or may have been contemporaneously subject, and shall be governed accordingly by the retrospective and prospective provisions of the system, including specifically Sections 5, 7 and 8 of the system. Provided that any such constructive employee who may or may have become an employee member after date of establishment by virtue of Section 5 of the system shall be entitled to count as creditable time his prior service time as well as his paid membership time. In case of existence in the same county of two cities having a population of two hundred and fifty thousand or more inhabitants, that one which first entered such population class shall be deemed the city referred to in this and the next succeeding section.

(b) Employee memebrs entering the employ of Civic Center Authority. This subsection (b) shall apply only if there is in the City a civic center authority provided for by Act No. 547 of the Regular Session of the Legislature of Alabama of 1965 (Alabama Acts 1965, page 797). As herein used, the term "Civic Center" means such Authority.

This subsection (b) is adopted because the Legislature recognizes the following: (1) that the facilities and operations of Civic Center will be similar to and related to some of the facilities and operations of the City; (2) that it may be in the public interest for employee members especially qualified by training and experience to transfer from the employ of the City to the employ of Civic Center; and (5) it is desirable to provide for the preservation of the pension rights of the employee members entering the employ of Civic Center.

For the purpose of the application of the terms of the system to the extent herein provided, and for that purpose only, and except as may be otherwise or differently provided herein, the employment by Civic Center of employee members shall be deemed constructively employment by the City during all of their time in the service of Civic Center after the adoption of this subsection (b), with like effect as though said employee members, while working for Civic Center, were actually working as employees of the City, subject to this pension system; provided, however, that this subsection (b) shall not apply unless all of the conditions hereinabove specified are met.

This subsection (b) shall not apply to any employee member unless within thirty (30) days after he leaves the service of the City he is employed by Civic Center on a salary payable at regular specified intervals; any person employed by Civic Center on a part time basis before he leaves, or when he leaves, the service of the City, shall be within the scope of the next foregoing sentence, if he continues in the employ of Civic Center.

This subsection (b) shall not apply unless the employee member leaves in the system fund the contributions made by him to the fund.

This subsection (b) shall not apply unless, within the time below stated, Civic Center gives written notice to the Board of Managers that Civic Center elects for this said subsection (b) of this Section 26 of this Act to apply to the employment of said employee member by Civic Center. This subsection (b) shall not apply unless the Board of Managers receives such notice within forty-five (45) days of the employee member's leaving the service of the City; provided, however, that the said

Board may in its discretion accept and treat as binding such notice received after that time, if the Board finds that delay in forwarding the notice was justified.

After giving any such notice, it shall be the duty of Civic Center to make or cause to be made and paid into the pension fund deductions from the salary of its employee who is the subject of such notice, and to do so in all respects as is provided by the system for the City to make deductions and pay into the fund from salaries of its employees who are employee members, and it shall be the further duty of Civic Center to make matching contributions to the fund from its own funds in respect to any employee who is the subject of any such notice, in all respects as it is made the duty of the City to make matching contributions in respect of its employees who are employee members, and it shall be the further duty of Civic Center to fully cooperate with the Board of Managers, the City Comptroller and the Custodian in the administration of the system.

After the Board of Managers receives the said certificate from Civic Center, the election made by Civic Center for this subsection (b) to apply to the employee member named in the certificate shall be irrevocable.

(c) Civil Defense Employees. For the purpose of application of the terms of the system, and for such purpose only, and except as may be hereinafter otherwise or differently provided in this and the next succeeding section, on and after September 1, 1969 the Civil Defense Agency whose territorial jurisdiction or responsibilities include the territory of the City shall be deemed constructively a subsidiary board or department of the City during said Civil Defense Agency's subsequent existence, and employees thereof in the classified service shall be deemed constructively employees of the City during all their time in the service of said Civil Defense Agency subsequent to September 1, 1969, and thereafter the terms of the system shall be prospectively applied to such constructive employees as fully and restrictively, and with like effect, as though said Civil Defense Agency were actually such subsidiary board or department and as though employees thereof in the classified service were actually employees of the City at all times while in the service of said Civil Defense Agency subsequent to September 1, 1969. In case of existence in the same county of two cities having a population of two hundred and fifty thousand or more inhabitants, that one which first entered such population class shall be deemed the City referred to in this and the next succeeding section."

Section 3. That Section 27 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq.), be and said section is hereby amended to read as follows:

"Section 27. (a) After July 1, 1945, it shall be the duty of the Board of Health, as an independent agency and not as a subsidiary board or department of the City, to make or cause to be made and paid into the fund deductions from the salaries of all its employees who are employee members, and to do so in all respects as is provided by the system for the City to make deductions and pay into the fund from salaries of its employees who are employee members, and it shall be the further duty of the Board of Health, as such independent agency, to make matching contributions to the fund from its own funds in respect of its employees who are employee members, in all respects as it is made the duty of the City to make matching contributions in respect of its employees who are employee members, and it shall be the further duty of the Board of Health, as such independent agency, to fully cooperate with the Board of Managers, the city comptroller and the custodian in the administration of the system, and, thereinabout, to make avail-

able to them all such records and information pertaining to employees of the Board of Health as they or either of them may request for the purpose of administration of the system.

(b) After September 1, 1969 it shall be the duty of said Civil Defense Agency, as an independent agency and not as a subsidiary board or department of the City, to make or cause to be made and paid into the fund deductions from the salaries of all its employees who are employee members, and to do so in all respects as is provided by the system for the City to make deductions and pay into the fund from salaries of its employees who are employee members, and it shall be the further duty of said Civil Defense Agency, as such independent agency, to make matching contributions to the fund from its own funds in respect of its employees who are employee members in all respects as it is made the duty of the City to make matching contributions in respect of its employees who are employee members, and it shall be the further duty of said Civil Defense Agency, as such independent agency, to fully cooperate with the board of managers, the city comptroller and the custodian in the administration of the system, and, thereinabout, to make available to them all such records and information pertaining to employees of Civil Defense as they or either of them may request for the purpose of administration of the system."

Section 4. This Act shall become effective upon its approval by the Governor, or upon its otherwise becoming a law.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Doss	Lemley	Owen (Baldwin)
Agee	Downing	Malone	Owens (W)
Bassett	Edington	Manley	Paulk
Beck	Ellis	Marr	Perloff
Berryman (W)	Fine	Mathews	Pruitt
Blanton	Graham	Mays	Robertson
Brannan	Grainger	McCorquodale	Shumate
Brassell	Grayson	McDonald	Slate
Burgreen	Hain	McElhaney	Snell
Collier	Hardin	McLain	Starnes
Collins (C)	Harris	Meade	Steagall
Collins (W)	Headley	Meeks	Stembridge
Cook (Coffee)	Higginbotham	Melton	Stubbs
Cook (Jefferson)	Holman	Merrill	Tuck
Culver	Jones	Money	Waggoner
Dill	Kilgore	Nettles	Weeks
Dobbs	Laxson	Neville	Williams

—68

And the bill, H. 1137, as thus amended:

TO FURTHER AMEND ACT NUMBER 929 OF THE REGULAR SESSION OF THE LEGISLATURE OF ALABAMA OF 1951, APPROVED SEPTEMBER 12, 1951 (GENERAL ACTS OF ALABAMA 1951, PAGE 1579, ET SEQ.) ENTITLED: "AN ACT TO CREATE OR PROVIDE IN OR FOR EACH AND EVERY CITY OF THE STATE OF ALABAMA HAVING A POPULATION OF TWO HUNDRED AND FIFTY THOUSAND OR MORE INHABITANTS ACCORDING TO THE LAST OR ANY SUCCEEDING FEDERAL CENSUS A PENSION AND RELIEF OR RETIREMENT AND RELIEF SYSTEM FOR OFFICERS AND EMPLOYEES OF SUCH CITY AND THEIR WIDOWS AND CHILDREN; TO MAKE THE PROVISIONS OF SUCH SYSTEM RETROSPECTIVE AS WELL AS PROSPECTIVE; AND, SUBORDINATELY, TO DEFINE OFFICERS AND EMPLOYEES OF THE BOARD OF

HEALTH OF ANY COUNTY IN WHICH ANY SUCH CITY MAY BE LOCATED AS OFFICERS AND EMPLOYEES OF SUCH CITY FOR THE PURPOSE OF RETROSPECTIVE AND PROSPECTIVE APPLICATION OF THE TERMS OR PROVISIONS OF SUCH SYSTEM", SO AS TO MAKE THE PROVISIONS OF SUCH SYSTEM APPLICABLE ON AND AFTER SEPTEMBER 1, 1969 TO CLASSIFIED SERVICE EMPLOYEES OF THE CIVIL DEFENSE AGENCY WHOSE TERRITORIAL JURISDICTION OR RESPONSIBILITIES INCLUDE THE TERRITORY OF ANY SUCH CITY, AND ALSO APPLICABLE TO CERTAIN EMPLOYEES OF A CIVIC CENTER AUTHORITY.

Was again read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Doss	Lemley	Owen (Baldwin)
Agee	Downing	Malone	Owens (W)
Bassett	Edington	Manley	Paulk
Beck	Ellis	Marr	Perloff
Berryman (W)	Fine	Mathews	Pruitt
Blanton	Graham	Mays	Robertson
Brannan	Grainger	McCorquodale	Shumate
Brassell	Grayson	McDonald	Slate
Burgreen	Hain	McElhaney	Snell
Collier	Hardin	McLain	Starnes
Collins (C)	Harris	Meade	Steagall
Collins (W)	Headley	Meeks	Stembridge
Cook (Coffee)	Higginbotham	Melton	Stubbs
Cook (Jefferson)	Holman	Merrill	Tuck
Culver	Jones	Money	Waggoner
Dill	Kilgore	Nettles	Weeks
Dobbs	Laxson	Neville	Williams

—68

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

By Mr. House:

H. 635. To amend further Section 2 of Act No. 217, S. 23 of the 1967 Special Session of the Legislature of Alabama (Acts 1967, p. 259), so as to exempt from the provisions of said act contracts relating to medical clinics boards.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. House, the House concurred in and adopted the Senate amendment to the bill, H. 635, said Senate amendment being as follows:

The title to H. B. No. 635 is hereby amended by striking out that portion which begins with the word "clinics" and inserting in lieu thereof the following:

"clinic boards organized under the provisions of Act No. 516 adopted at the 1955 Regular Session of the Legislature of Alabama, as amended by Act No. 109 adopted at the 1965 First Special Session of the Legislature of Alabama."

Section 1 of H. B. No. 635 is hereby amended by adding at the end of the thirty-second (32nd) line of Amended Section 2 of Act No. 217 of the 1967 Special Session of the Legislature of Alabama after the words "medical clinic board", the following:

"organized under the provisions of Act No. 516 adopted at the 1955 Regular Session of the Legislature of Alabama, as amended by Act No. 109, adopted at the 1965 First Special Session of the Legislature of Alabama, nor to the purchase, lease or other acquisition of machinery, equipment, supplies and other personal property or services."

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Downing	Manley	Perloff
Agee	Edington	Mathews	Pruitt
Bank	Ellis	Mays	Robertson
Bassett	Fine	McCorquodale	Shumate
Beck	Graham	McDonald	Slate
Berryman (W)	Grainger	McElhaney	Smith
Blanton	Grayson	McLain	Snell
Brannan	Hain	Meade	Starnes
Brassell	Hardin	Meeks	Steagall
Burgreen	Harris	Melton	Stembridge
Collins (W)	Headley	Merrill	Stubbs
Cook (Jefferson)	Higginbotham	Money	Tuck
Crawford	Hill	Nettles	Turnham
Culver	Holman	Neville	Weeks
Dill	Jones	Owen (Baldwin)	Williams
Dobbs	Lemley	Owens (W)	Yeilding
Doss	Malone	Paulk	

—67

And the bill, H. 635, as thus amended:

To amend further Section 2 of Act No. 217, S. 23 of the 1967 Special Session of the Legislature of Alabama (Acts 1967, p. 259), so as to exempt from the provisions of said act contracts relating to medical clinic boards organized under the provisions of Act No. 516 adopted at the 1955 Regular Session of the Legislature of Alabama, as amended by Act No. 109 adopted at the 1965 First Special Session of the Legislature of Alabama.

Was read a third time at length and passed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Downing	Manley	Perloff
Agee	Edington	Mathews	Pruitt
Bank	Ellis	Mays	Robertson
Bassett	Fine	McCorquodale	Shumate
Beck	Graham	McDonald	Slate
Berryman (W)	Grainger	McElhaney	Smith
Blanton	Grayson	McLain	Snell
Brannan	Hain	Meade	Starnes
Brassell	Hardin	Meeks	Steagall
Burgreen	Harris	Melton	Stembridge
Collins (W)	Headley	Merrill	Stubbs
Cook (Jefferson)	Higginbotham	Money	Tuck
Crawford	Hill	Nettles	Turnham
Culver	Holman	Neville	Weeks
Dill	Jones	Owen (Baldwin)	Williams
Dobbs	Lemley	Owens (W)	Yeilding
Doss	Malone	Paulk	

—67

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1400. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Dill, the House concurred in and adopted the Senate amendment to the bill, H. 1400, said Senate amendment being as follows:

Amend Section 1 of House Bill 1400 by deleting the words and figures "Twenty Two Thousand and no/100 Dollars ($22,000.00) and substituting in lieu thereof the following words and figures

"Twenty Three Thousand Dollars ($23,000.00)

Further amend Section 1 of House Bill 1400 by deleting the words and figures Twenty One Thousand and no/100 Dollars ($21,000.00) and substituting in lieu thereof the following words and figures

"Twenty Two Thousand Dollars ($22,000.00)

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Edington	Mays	Pruitt
Agee	Ellis	McCorquodale	Robertson
Bassett	Fine	McDonald	Shumate
Beck	Graham	McElhaney	Slate
Berryman (W)	Grainger	McLain	Smith
Blanton	Grayson	Meade	Snell
Brannan	Hain	Meeks	Starnes
Brassell	Hardin	Melton	Steagall
Burgreen	Harris	Merrill	Stembridge
Collins (C)	Headley	Money	Stubbs
Cook (Coffee)	Higginbotham	Nettles	Tuck
Cook (Jefferson)	Hill	Neville	Turnham
Crawford	Jones	Owen (Baldwin)	Waggoner
Culver	Laxson	Owens (W)	Weeks
Dill	Lemley	Paulk	Williams
Dobbs	Manley	Perloff	Young
Downing	Mathews		—66

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1395. To fix the compensation or salary of the deputy probate judges or assistant judges of probate of any branch office of the

Probate Court in counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Dill, the House concurred in and adopted the Senate amendment to the bill, H. 1395, said Senate amendment being as follows:

Amend Section II of H. B. 1395 by deleting the figures "$11,900.00) and substituting therefore the figures "$12,000.00

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Downing	Manley	Pruitt
Agee	Drake	Marr	Robertson
Beck	Edington	Mathews	Shumate
Berryman (W)	Ellis	Mays	Slate
Blanton	Fine	McCorquodale	Smith
Brannan	Graham	McElhaney	Snell
Brassell	Grainger	McLain	Starnes
Burgreen	Grayson	Meade	Steagall
Cameron	Hain	Melton	Stembridge
Collins (W)	Hardin	Money	Stubbs
Cook (Jefferson)	Harris	Nettles	Tuck
Crane	Headley	Neville	Turnham
Crawford	Higginbotham	Owen (Baldwin)	Waggoner
Culver	Hobbie	Owens (W)	Weeks
Dill	Holman	Paulk	Williams
Dobbs	Lemley	Perloff	Young

—64

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1416. To amend further Act No. 421, H. 932, Regular Session, 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Jefferson), the House concurred in and adopted the Senate amendment to the bill, H. 1416, said Senate amendment being as follows:

Amend Section 3 of House Bill 1416 by deleting the words and figures "Thirteen Thousand and no/100 Dollars ($13,000.00) and substituting therefor the following words and figures

"Fourteen Thousand Dollars ($14,000.00)

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Holman	Neville
Agee	Doss	Jones	Owen (Baldwin)
Bassett	Downing	Lemley	Owens (W)
Beck	Drake	Malone	Paulk
Berryman (W)	Edington	Manley	Perloff
Blanton	Ellis	Marr	Pruitt
Brannan	Fine	Mathews	Shumate
Brassell	Garrett	Mays	Smith
Burgreen	Graham	McCorquodale	Snell
Cameron	Grainger	McDonald	Starnes
Cherner	Grayson	McElhaney	Steagall
Collins (C)	Hain	McLain	Stubbs
Collins (W)	Hardin	Meade	Tuck
Cook (Coffee)	Harris	Meeks	Turnham
Cook (Jefferson)	Headley	Melton	Waggoner
Crane	Higginbotham	Merrill	Weeks
Crawford	Hill	Money	Williams
Dill	Hobbie	Nettles	Young

—72

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1390. To provide for the payment of expense allowances for county officers serving in the position of a member of the Board of Equalization and adjustments in all counties having a population of 600,000 or more according to the last or any subsequent Federal Decennial Census.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Jefferson), the House concurred in and adopted the Senate amendment to the bill, H. 1390, said Senate amendment being as follows:

Amend Section 2 of House Bill 1390 so that said Section 2 shall read as follows:

Section 2. The county Officers serving the positions of a Member of the Board of Equalization and Adjustments in counties having 600,000 population or more, shall be entitled to receive from the County Treasury the sums as expense allowances as follows: Each Member of the Board of Equalization and Adjustments, shall receive Fifty dollars ($50.00) per month or ten (10) cents a mile for each mile they drive their personal automobile on official county business as an expense allowance. Each of the Board members shall file a letter with the County governing body prior to the beginning of each fiscal year notifying said governing body which of the alternate expense allowance said Board member desires. The expense allowances herein provided shall be in addition to all other compensation and allowances provided for such county officers by general, special or local laws and such expense allowances shall be paid each month in monthly installments on sworn warrants which shall be approved by the Board of County Commissioners, or other county governing body, on any funds in the County Treasury not otherwise appropriated.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Drake	Manley	Perloff
Agee	Edington	Marr	Pruitt
Bassett	Ellis	Mathews	Robertson
Beck	Fine	Mays	Shumate
Berryman (W)	Garrett	McCorquodale	Slate
Blanton	Graham	McDonald	Smith
Brannan	Grainger	McElhaney	Snell
Brassell	Grayson	McLain	Starnes
Burgreen	Hain	Meeks	Steagall
Cherner	Hardin	Melton	Stembridge
Collins (C)	Harris	Merrill	Stubbs
Collins (W)	Headley	Money	Tuck
Cook (Jefferson)	Higginbotham	Nettles	Turnham
Crawford	Holman	Neville	Waggoner
Dill	Jones	Owen (Baldwin)	Weeks
Dobbs	Laxson	Owens (W)	Williams
Doss	Lemley	Paulk	Young
Downing	Malone	Pennington	

—71

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1037. To repeal Act No. 558, House 1070, Regular Session, 1931, (Acts 1931, p. 1653), as amended, which relates to the Jefferson county board off Cosmetological Examiners.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Jefferson), the House concurred in and adopted the Senate amendment to the bill, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

TO REPEAL ACT NO. 558, HOUSE 1070, REGULAR SESSION, 1931, (ACTS 1931, P. 1653), AS AMENDED, WHICH RELATES TO THE JEFFERSON COUNTY BOARD OF COSMETOLOGICAL EXAMINERS.

Be It Enacted by the Legislature of Alabama:

Section 1. Act No. 558, House 1070, Regular Session, 1931, (Acts 1931, P. 1653), as amended, is hereby repealed.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law and further upon ratification by a vote of the majority of the cosmetologists of Jefferson County who are the holders of a current valid license issued by the Jefferson County Board of Cosmetological Examiners voting in such referendum; such referendum to be called by the Jefferson County Commission and held and supervised by the Judge

of Probate of such county no sooner than sixty (60) days nor later than one hundred and twenty (120) days after the last day of the 1969 legislative session.

Yeas 65; Nay 1.

Yeas:

Mr. Speaker	Ellis	Manley	Paulk
Agee	Graham	Marr	Pennington
Bassett	Grainger	Mathews	Perloff
Beck	Grayson	Mays	Pruitt
Berryman (W)	Hain	McCorquodale	Robertson
Blanton	Hardin	McDonald	Shumate
Brannan	Harris	McElhaney	Snell
Brassell	Haygood	McLain	Starnes
Burgreen	Headley	Meade	Stembridge
Cameron	Higginbotham	Meeks	Stubbs
Cook (Jefferson)	Hobbie	Melton	Tuck
Crawford	Holman	Money	Turnham
Dobbs	Jones	Nettles	Waggoner
Doss	Kilgore	Neville	Weeks
Downing	Lemley	Owen (Baldwin)	Williams
Drake	Malone	Owens (W)	Young
Edington			—65

Nay: Mr. Crane. —1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1387. To provide for the payment of expense allowances for county officers serving the positions of Deputy Tax Assessor, Deputy Tax Collector, Deputy Treasurer in all counties having a population of 600,000 or more according to the last or any subsequent Federal Decennial Census.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Jefferson), the House concurred in and adopted the Senate amendment to the bill, H. 1387, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

TO PROVIDE FOR THE PAYMENT OF EXPENSE ALLOWANCE FOR COUNTY OFFICERS SERVING IN THE POSITIONS OF DEPUTY TAX ASSESSOR, DEPUTY TAX COLLECTOR, DEPUTY TREASURER IN ALL COUNTIES HAVING A POPULATION OF 600,000 OR MORE ACCORDING TO THE LAST OR ANY SUBSEQUENT FEDERAL DECENNIAL CENSUS.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply only in counties having a population of 600,000 or more according to the last or any subsequent federal decennial census.

Section 2. The county officers serving the positions of Deputy Tax Assessor, Deputy Tax Collector and Deputy Treasurer in counties having 600,000 population or more, shall be entitled to receive from the County Treasury the sums as expense allowances as follows: the Deputy Tax Assessor, the Deputy Tax Collector, and the Deputy Treasurer shall each receive Fifty ($50.00) Dollars per month or 10¢ per mile for each mile they drive their personal automobile on official county business, as an expense allowance. Each of the above named officers shall file a letter with the County governing body prior to the beginning of each fiscal year notifying said governing body which of the alternate expense allowances said officer or board member desires. Said sums to be in lieu of an automobile furnished by the county. The expense allowances herein provided shall be in addition to all other compensation and allowances provided for such county officers by general, special or local laws and such expense allowances shall be paid each month in monthly installments on sworn warrants which shall be approved by the Board of County Commissioners, or other county governing body, on any funds in the County Treasury not otherwise appropriated.

Section 3. All laws or parts of laws in direct conflict herewith are hereby repealed.

Section 4. The provisions of this Act are severable, and if any section or part thereof shall be held invalid by a court or competent jurisdictions, such invalidity shall not affect the remaining portions of this Act.

Section 5. This Act shall become effective immediately upon its passage and approval of the Governor, or its otherwise becoming a law.

Yeas 67; Nay 1.

Yeas:

Mr. Speaker	Ellis	Manley	Perloff
Agee	Fine	Marr	Pruitt
Bassett	Garrett	Mathews	Robertson
Beck	Graham	Mays	Sessions
Berryman (W)	Grainger	McCorquodale	Shumate
Blanton	Grayson	McDonald	Slate
Brannan	Hain	McElhaney	Smith
Brassell	Hardin	McLain	Snell
Burgreen	Harris	Meade	Starnes
Cameron	Haygood	Meeks	Steagall
Collins (W)	Headley	Melton	Tuck
Cook (Jefferson)	Higginbotham	Money	Turnham
Dobbs	Hobbie	Nettles	Waggoner
Doss	Holman	Neville	Weeks
Downing	Jones	Owen (Baldwin)	Williams
Drake	Lemley	Owens (W)	Young
Edington	Malone	Paulk	—67

Nay: Mr. Burgess. —1

And the bill, H. 1387, as thus amended:

TO PROVIDE FOR THE PAYMENT OF EXPENSE ALLOWANCE FOR COUNTY OFFICERS SERVING IN THE POSITIONS OF DEPUTY TAX ASSESSOR, DEPUTY TAX COLLECTOR, DEPUTY TREASURER IN ALL COUNTIES HAVING A POPULATION OF 600,000 OR MORE ACCORDING TO THE LAST OR ANY SUBSEQUENT FEDERAL DECENNIAL CENSUS.

Was again read a third time, and passed.

Yeas 67; Nay 1.

Yeas:

Mr. Speaker	Ellis	Manley	Perloff
Agee	Fine	Marr	Pruitt
Bassett	Garrett	Mathews	Robertson
Beck	Graham	Mays	Sessions
Berryman (W)	Grainger	McCorquodale	Shumate
Blanton	Grayson	McDonald	Slate
Brannan	Hain	McElhaney	Smith
Brassell	Hardin	McLain	Snell
Burgreen	Harris	Meade	Starnes
Cameron	Haygood	Meeks	Steagall
Collins (W)	Headley	Melton	Tuck
Cook (Jefferson)	Higginbotham	Money	Turnham
Dobbs	Hobbie	Nettles	Waggoner
Doss	Holman	Neville	Weeks
Downing	Jones	Owen (Baldwin)	Williams
Drake	Lemley	Owens (W)	Young
Edington	Malone	Paulk	—67

Nay: Mr. Burgess. —1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1265. Applying only in counties having populations of not less than 48,500 nor more than 49,500, according to the most recent federal decennial census; providing for additional meetings of the governing bodies of such counties and for additional compensation and expense allowances for the members of said body, including the chairman.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Meeks, the House concurred in and adopted the Senate amendment to the bill, H. 1265, said Senate amendment being as follows:

Amend Section 2 of House Bill 1265, where the figure "$100" appears strike and insert in lieu thereof the figure "$150"; then delete the following in the same sentence:

"and $50 a month for salary".

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Collins (W)	Graham	Jackson (T)
Agee	Crawford	Grainger	Jones
Bassett	Dill	Grayson	Lemley
Beck	Dobbs	Hain	Manley
Berryman (W)	Doss	Hardin	Marr
Blanton	Downing	Harris	Mathews
Brannan	Drake	Haygood	Mays
Brassell	Edington	Headley	McCorquodale
Burgess	Ellis	Higginbotham	McDonald
Burgreen	Fine	Hobbie	McElhaney
Cameron	Garrett	Holman	Meade

Melton	Paulk	Smith	Waggoner	
Merrill	Perloff	Starnes	Weeks	
Money	Pruitt	Stembridge	Williams	
Nettles	Robertson	Tuck	Young	
Owen (Baldwin)	Shumate	Turnham		—63

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1397. To provide for the compensation to be paid the Deputy District Attorney who is elected by the people, and the Assistant Deputy District Attorney, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Dill, the House concurred in and adopted the Senate amendment to the bill, H. 1397, said Senate amendment being as follows:

Amend Section 1 of H. B. 1397 by deleting the words and figures "Sixteen Thousand Five Hundred Dollars ($16,500.00) and substituting therefor the following words and figures:

"Sixteen Thousand Dollars ($16,000.00)

Amend Section 2 of H. B. 1397 by deleting the words and figures "Twelve Thousand Five Hundred Dollars ($12,500.00) and substituting therefor the following words and figures:

"Twelve Thousand Dollars ($12,000.00)

Yeas 67; Nay 1.

Yeas:

Mr. Speaker	Drake	Lemley	Paulk	
Agee	Edington	Malone	Perloff	
Bank	Ellis	Manley	Pruitt	
Bassett	Fine	Marr	Robertson	
Beck	Garrett	Mathews	Shumate	
Berryman (W)	Graham	Mays	Slate	
Blanton	Grainger	McCorquodale	Smith	
Brannan	Grayson	McDonald	Snell	
Brassell	Hain	McElhaney	Starnes	
Burgreen	Hardin	McLain	Stembridge	
Cameron	Harris	Meeks	Tuck	
Collins (W)	Haygood	Melton	Turnham	
Crawford	Headley	Merrill	Weeks	
Dill	Higginbotham	Money	Williams	
Dobbs	Hobbie	Nettles	Wright	
Doss	Holman	Neville	Young	
Downing	Jones	Owen (Baldwin)		
				—67

Nay: Mr. Holladay. —1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 822. To amend the title and Section 1 of Act No. 821 of the 1965 Regular Session of the Legislature of Alabama, regulating the fluoridation of water supplies in counties having a population of 400,000 according to the last or any succeeding federal census.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Meeks, the House non-concurred in the Senate amendment to the bill, H. 822, and requested a Committee of Conference, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend the title and Section 1 of Act No. 821 of the 1965 Regular Session of the Legislature of Alabama, regulating the fluoridation of water supplies in counties having a population of 400,000 according to the last or any succeeding federal census.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 821 of the 1965 Regular Session of the Legislature of Alabama is amended so as to read as follows:

"An act to authorize and regulate the fluoridation of water supplies in counties having a population of 600,000 according to the last or any succeeding federal census. To prescribe conditions for calling of a referendum."

Section 2. Section 1 of Act No. 821 of the 1965 Regular Session of the Legislature of Alabama is amended so as to read as follows:

"Section 1. Any water works board, municipality, person, firm, or corporation in counties having a population of six hundred thousand inhabitants or more according to the last or any subsequent federal census, which furnishes or supplies water for human consumption or domestic use whether to municipalities or other groups of persons or otherwise, shall add fluoride to the water so furnished, provided that:

(a) The governing body of the municipality owning or controlling the water system or under which the water board has been appointed, or in which such person, firm or corporation supplying water supplies more water for human consumption or domestic use than in any other municipality, has by ordinance duly authorized the fluoridation of such water supply. Such ordinance or the repeal thereof may be initiated by petition signed by the qualified voters under any provisions which may apply to such municipality.

(b) The state board of health and the local boards of health serving such counties shall have approved the addition of fluoride and have:

(1) Established reasonable maximum and minimum limits of fluoride stated in parts per million to be maintained in the water supply;

(2) Approved the type of chemical feeding equipment to be installed and used;

(3) Approved the installation of equipment, the plant lay-out and methods of handling the fluoride compound to assure the safety of employees; and

(4) Approved the method of analysis and control to be used in determining the fluoride content of water before and after the addition of fluoride.

It shall not be necessary that the provisions of this subsection (b) be complied with prior to the holding of an election as hereinafter provided, but this subsection must be complied with prior to the fluoridation of any such water supply. In the event the result of an election as hereinafter provided is in favor of the fluoridation of any water supply, the municipality, water board, or other person, firm or corporation furnishing such water shall install such equipment and provide such method and manner of fluoridation as is approved by the health authorities under the provisions of this Act. In case of the inability of the state board and the local board to concur on any matter for which their determination or approval is required under the provisions of this subsection (b), then the determination or approval of the local board evidenced by a resolution adopted by the affirmative vote of not less than seventy-five percent (75%) of the membership of such board shall prevail; otherwise, no fluoridation shall be affected until the two boards can resolve their differences in such respect.

(c) A certified copy of the ordinance provided for in subsection (a) above shall have been presented to the probate judge of such county at the direction of the governing body of the municipality and said probate judge shall have called a referendum to be held throughout said county on the question: "Shall _____ fluoridate its drinking water?" (Insert in the blank space the name of the municipality, water board, person, firm, or corporation furnishing water, the fluoridation of which has been authorized by the ordinance provided for in subsection (a) above), and said vote shall have been in favor of fluoridation. Said election shall be called by the probate judge and such question shall appear on the ballot at the next general election, but in no event sooner than (90) days after the presentation of said ordinance to the probate judge as herein provided. Not less than thirty (30) days' notice of such election shall be given by the probate judge by publication once a week for four consecutive weeks in a newspaper of general circulation of said county, and the cost of said notice and other incidental expenses relating to such referendum shall be born by the county in which such county-wide election is held. Said election shall be conducted, the vote canvassed, and the result declared in the same manner as provided by law in respect to other county elections in the county except as otherwise provided by this Act. If a majority of the persons voting on said question vote in favor of adding fluoride, the same shall be added by the municipality, board, person, firm or corporation furnishing such order under the provisions of this Act. Upon presentation of said ordinance to the probate judge, it shall be his duty to call said election and to perform other such acts as he is required to perform before fluoride may be added under the provisions of this Act to said water supply.

Section 3. This Act shall become effective immediately upon its passage and upon approval by the governor, or upon its otherwise becoming a law.

Yeas 66; Nays 3.

Yeas:

Mr. Speaker	Drake	Lyons	Paulk
Adwell	Ellis	Malone	Pearson
Agee	Gafford	Manley	Perloff
Bassett	Garrett	Marr	Pruitt
Beck	Gloor	Mathews	Shumate
Berryman (W)	Graham	Mays	Slate
Brannan	Grainger	McCorquodale	Smith
Brassell	Grayson	McElhaney	Snell
Burgess	Hain	McLain	Starnes
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Cook (Coffee)	Headley	Melton	Turnham
Crawford	Higginbotham	Merrill	Waggoner
Culver	Hobbie	Neville	Weeks
Dill	Holman	Owen (Baldwin)	Wright
Dobbs	Jones	Owens (W)	Young
Downing	Kilgore		—66

Nays: Messrs. Edington, House and Money. —3

The Speaker appointed as a Committee of Conference on the part of the House to resolve the differences between the two Houses on the bill, H. 822, Messrs. Weeks, Yeilding and Dill.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

H. 847. To provide for reimbursing the members of the county governing bodies of all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 847, as thus amended by the Executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. B. 847, as amended by the Executive amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the disagreement of the two Houses on the Senate amendment to the Resolution:

H. J. R. 107. Recreating the committee created by Act No. 219, 1967 Special Session.

And said Resolution, H. J. R. 107, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the following Senate Bill:

S. 518. To fix the compensation of circuit judges in Alabama; and to provide the method of payment and effective date thereof.

and requests a Committee on Conference.

And the President and Presiding Officer of the Senate has appointed as Conferees on part of the Senate Messrs. Skidmore, Turner and Nabors.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the House acceded to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 518.

And the Speaker named as a Committee of Conference on the part of the House Messrs. Merrill, Graham and Berryman (W).

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Engel and McDermott:

S. J. R. 90. WHEREAS Sam M. Johnston of Mobile, one of the most distinguished members of the bar of this state, died August 14, 1969 at the age of 78; and

WHEREAS Mr. Johnston was president of the Alabama State Bar Association in 1940-1941, and was an effective lawyer, participating in leading cases in Mobile County, for more than forty years.

WHEREAS Mr. Johnston worked for many years in politics, serving as a member of the state Democratic Executive Committee, and was one of the architects of the "Dixiecrat" movement in 1948; and

WHEREAS Mr. Johnston served his state and community in many organizations, and in many important posts, including that of trustee of Alabama College at Montevallo; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of Sam M. Johnston, and express our deepest sympathy to his family.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to the family of Mr. Johnston.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Downing, the rules were suspended and the House concurred in and adopted the S. J. R. 90 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Givhan:

S. J. R. 88. WHEREAS the entire staff of the Legislative Reference Service has performed meritoriously in serving the members of the Legislature; and

WHEREAS in innumerable instances these services have been rendered at a personal sacrifice on the part of the members of the Reference Service Staff each of whom has gone far beyond the usual call of duty in an effort to supply the information and bills requested by the Legislature; and

WHEREAS the Legislative Reference Service has, by virtue of individual performances manifesting an extraordinary devotion to duty, kept abreast of a staggering workload during the absence of its late and beloved Director Charles M. Cooper, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend to each member of the Legislative Reference Service our sincere thanks and hardy congratulations for their inestimable contribution to the legislative process here in Alabama.

BE IT FURTHER RESOLVED, That copies of this resolution shall be sent to the acting Director of the Legislative Reference Service.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the rules were suspended and the House concurred in and adopted the S. J. R. 88 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. McDermott, Pelham and Engel:

S. J. R. 92. WHEREAS, Hurricane Camille, which struck the Gulf Coast on the night and early morning of Sunday and Monday, August 17 and 18, 1969, is already considered the most deadly storm ever to strike the United States mainland, and

WHEREAS, while the Mississippi Gulf Coast has borne the brunt of this devastating hurricane, yet the Mobile County-Baldwin County area in southwest Alabama experienced terrific winds, rains and tidal flooding, inflicting property damage estimated in the millions of dollars

and causing a monumental chore of restoring utility services, maintaining order and traffic control, prevention of looting, clearing streets, highways and other areas of downed trees, fallen wires and other debris, as well as the maintenance of lines of communications before, during and after the actual impact of the storm for the information of concerned citizens, and

WHEREAS, the exemplary and dedicated efforts of those involved in this work, such as utilities employees, law enforcement personnel (including deputy sheriffs in Mobile and Baldwin Counties, Alabama National Guardsmen, Alabama State Troopers, City of Mobile police officers and police officers of other municipalities), personnel in the street departments of Mobile and other cities, and those associated with radio, television and newspaper organizations have combined and contributed to hold to a minimum the loss experienced by these Alabama residents, to restore the vital services interrupted by the storm, and at all times to keep the public informed of the dangers it faced and the information it needed in order to cope properly with these dangers, now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, that we express the appreciation of the people in these affected areas of our State, through this body, to these dedicated men and women who have labored without rest, away from their families, for many long hours in this time of public peril and need.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Downing, the rules were suspended and the House concurred in and adopted the S. J. R. 92 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Skidmore:

S. J. R. 93. WHEREAS The Honorable Snow Hinton has been chosen by the people of the City of Tuscaloosa to serve as their mayor for the ensuing term; and

WHEREAS this body feels that the people of Tuscaloosa have chosen wisely and well, and have an able and dedicated leader in these troubled times; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend our heartiest congratulations to Mayor Hinton, and express our hope that his administration wll be the greatest in the long and colorful history of the City of Tuscaloosa.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Culver, the rules were suspended and the House concurred in and adopted the S. J. R. 93 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 141. Commending Representative L. Gardner Bassett for having never missed a roll call during twenty years service in the Legislature.

Also:

H. J. R. 134. Designating the National Guard Armory in Phenix City the "Fort Jabe Brassell Armory".

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Rules Committee:

S. J. R. 96. WHEREAS, it has been exhibited beyond question the need for legislation regulating the activities of both members of the Alabama Legislature and lobbyists to the extent that such activities bear on the orderly and proper conduct of legislative affairs;

NOW, THEREFORE, be it resolved by the Legislature of Alabama, both Houses thereof concurring:

1. There is hereby created a Joint Interim Committee on legislative and lobbying ethics, which committee shall be composed of 5 persons appointed by the present Speaker of the House of Representatives, each of whom shall be a member of the present House of Representatives, and 4 persons appointed by the present Presiding Officer of the Senate, each of whom shall be a member of the present Senate. Appointments shall be made forthwith. The committee shall elect from among its members a chairman and a vice-chairman, and shall hold such meetings and hearings, examine such witnesses, and conduct such studies and make such inquiries as it considers necessary and proper in the performance of its duties.

2. Such Joint Interim Committee shall make a complete study of the need for legislation in the area of legislative lobbying ethics, prepare adequate legislation to meet the needs in such area, and to report to the Legislature at its next regular session.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 96 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Engel and McDermott:

S. J. R. 91. WHEREAS the State of Alabama suffered a distinct loss in the recent death of Mrs. C. M. A. Rogers of Mobile, wife and mother of former members of this legislature. Mrs. Rogers was not only devoted to her family but she was a person of wide interests and many talents. She was a dedicated civic worker and club woman. She was honored as First Lady of the Year in Mobile in 1948, twenty-five years after moving to Mobile with her husband. Mrs. Rogers was particularly noted for her work in the development of the Y. W. C. A. and for her role in St. Paul's Episcopal Church. In 1955, she was elected to the board of trustees of Mobile Infirmary and was secretary of the board from 1959 to 1969. She was instrumental in the establishment of the Mobile Infirmary Auxiliary and was named first vice president at its opening in 1951. She organized its gift shop in 1952, and, as its chairman, promoted its successful operation. Mrs. Rogers was a former president of Mobile's Junior League and gave unstintingly of her time and talents to each of its worthwhile activities; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we note with profound sorrow the passing of Mrs. C. M. A. Rogers, a most gracious and beloved lady who generously contributed so much to her City and State. We extend our deepest sympathy to the members of the Rogers family, to whom copies of this resolution shall be sent.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Downing, the rules were suspended and the House concurred in and adopted the S. J. R. 91 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 1173. Relating to counties having populations of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census; to regulate the payment of wages of all policemen and fire fighters employed by any city in such counties; to repeal conflicting laws.

And the President and Presiding Officer of the Senate has appointed as Conferees on part of the Senate Messrs. Engel, McDermott and Pelham.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. B. 751. To establish the Alabama Development Office; to provide for the efficient coordination of and cooperation in the programs of the

various governmental agencies and private groups and institutions engage within this state in promoting the human, economic and physical resources of the state or in the several regions or areas thereof; to provide for the appointment of the Director of Development and the employees of the Alabama Development Office; to define the powers and duties of the Alabama Development Office; to transfer to the Alabama Development Office all the functions, powers, authority and duties and all the books, records, supplies, equipment and personnel heretofore had, exercised, used or employed by the State Planning and Industrial Development Board; to repeal all laws in conflict with this Act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning House Bill No. 1011 with a suggested Executive Amendment.

Respectfully submitted,

ROBERT M. CLECKLER,
Executive Secretary.

August 19, 1969

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you herewith, the Body in which it originated, House Bill No. 1011 without my approval.

I respectfully suggest that section 4 of said bill be deleted and substitute therefor the following:

"Section 4. For the purposes of this act such municipal corporations may exercise the right of eminent domain; provided however, that such right of eminent domain shall not be applicable to condemn property already devoted to public use by any public utility or transportation company as defined in Title 48, Code of Alabama 1940. Such eminent domain proceedings should be conducted in the manner now provided by law."

I suggest that House Bill No. 1011 be further amended by striking Section 6 therefrom and renumbering existing Sections 7, 8, 9, 10, and 11 to read 6, 7, 8, 9, and 10.

I have discussed this amendment with the sponsors of this legislation and it is at their request that this Executive Amendment is made.

Respectfully,

ALBERT P. BREWER,
Governor.

August 19, 1969

GOVERNOR'S MESSAGE

On motion of Mr. Hardin, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 1011, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Pearson
Agee	Drake	Lemley	Perloff
Bank	Ellis	Manley	Pruitt
Bassett	Fine	Marr	Robertson
Beck	Garrett	Mays	Sessions
Berryman (W)	Graham	McCorquodale	Shumate
Bowers	Grainger	McElhaney	Slate
Brannan	Grayson	Meade	Smith
Brassell	Hain	Meeks	Steagall
Burgreen	Hardin	Melton	Stembridge
Collier	Haygood	Money	Tuck
Collins (W)	Headley	Nettles	Turnham
Cook (Coffee)	Hill	Neville	Waggoner
Culver	Hobbie	Owen (Baldwin)	Williams
Dobbs	Holman	Owens (W)	Wright
Doss	Jackson (T)	Paulk	Young

—64

Which was a majority of the whole number elected to the House.

And said bill:

H. 1011. Relating to the City of Troy in Pike County: Authorizing the City of Troy as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting the municipal corporation transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Culver	Hain	Manley
Agee	Dill	Hardin	Marr
Bassett	Dobbs	Haygood	Mays
Beck	Downing	Headley	McCorquodale
Berryman (W)	Drake	Hill	McElhaney
Bowers	Edington	Hobbie	Meade
Brannan	Ellis	Holladay	Melton
Brassell	Fine	Holman	Money
Burgreen	Garrett	House	Nettles
Collier	Graham	Jackson (T)	Neville
Collins (W)	Grainger	Jones	Owen (Baldwin)
Cook (Coffee)	Grayson	Lemley	Owens (W)

Paulk	Sessions	Steagall	Waggoner
Pearson	Slate	Stembridge	Williams
Pennington	Smith	Tuck	Wright
Pruitt	Springer	Turnham	Young
Robertson			

—65

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
of the State of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning House Bill 1118 with a suggested Executive Amendment.

Respectfully submitted,

ROBERT M. CLECKLER,
Executive Secretary.

August 20, 1969

To the House of Representatives
of the State of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you herewith, the Body in which it originated, House Bill No. 1118 without my approval.

I respectfully suggest that Section 6 of House Bill No. 1118 be amended by striking the words "One-half of all fines and forfeitures hereafter paid" and substitute in lieu thereof the following:

"One-half of all fines and forfeitures hereafter paid between October 1, 1969 and September 30, 1971."

Further amend House Bill No. 1118 by striking therefrom in its entirety Section 7 of said bill and renumbering Sections 8 and 9 correspondingly.

I have discussed this amendment with the sponsors of this legislation and it is at their request that this Executive Amendment is made.

Respectfully,

ALBERT P. BREWER,
Governor.

August 20, 1969

GOVERNOR'S MESSAGE

On motion of Mr. Graham, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 1118, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 60; **Nays 0.**

Yeas:

Mr. Speaker	Drake	Hobbie	Owens (W)
Agee	Edington	Holman	Paulk
Bassett	Ellis	House	Pearson
Beck	Fine	Jackson (T)	Pennington
Berryman (W)	Gafford	Jones	Pruitt
Blanton	Garrett	Lemley	Robertson
Brassell	Graham	Marr	Sessions
Burgreen	Grainger	Mays	Slate
Collier	Grayson	McElhaney	Smith
Collins (C)	Hain	Meade	Steagall
Collins (W)	Hardin	Meeks	Tuck
Cook (Coffee)	Haygood	Melton	Turnham
Dill	Headley	Money	Williams
Dobbs	Higginbotham	Neville	Wright
Downing	Hill	Owen (Baldwin)	Young

—60

Which was a majority of the whole number elected to the House.

And said bill:

H. 1118. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Colbert County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collection of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel. To provide further for the distribution of fines and forfeitures in certain cases.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Ellis	Jackson (T)	Pennington
Agee	Fine	Jones	Pruitt
Bassett	Gafford	Lemley	Robertson
Beck	Garrett	Lyons	Sessions
Berryman (W)	Graham	Marr	Shumate
Blanton	Grainger	Mays	Slate
Brannan	Grayson	McElhaney	Smith
Brassell	Hain	McLain	Snell
Burgreen	Hardin	Meade	Steagall
Collier	Harris	Meeks	Stembridge
Collins (W)	Haygood	Melton	Tuck
Cook (Coffee)	Headley	Money	Turnham
Crawford	Hill	Owen (Baldwin)	Williams
Dill	Hobbie	Owens (W)	Wood
Dobbs	Holman	Paulk	Wright
Doss	House	Pearson	Young
Downing			

—65

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning House Bill No. 1030 with a suggested Executive Amendment.

Respectfully submitted,

ROBERT M. CLECKLER,
Executive Secretary.

August 19, 1969

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you herewith, the Body in which it originated, House Bill No. 1030 without my approval.

I respectfully suggest that Section 1 of House Bill No. 1030 be amended to read as follows:

"Section 1. In all counties having populations of not less than 24,800 nor more than 25,400, according to the most recent Federal Decennial Census, each member of the board of registrars shall receive ten ($10) dollars per day to be paid by the state, and five ($5) dollars per day to be paid by the county, to be disbursed on order of the judge of probate for each day's attendance of the registrar upon the sessions of the board."

I have discussed this amendment with the sponsor of this legislation and it is at his request that this Executive Amendment is made.

Respectfully,

ALBERT P. BREWER,
Governor.

August 19, 1969

GOVERNOR'S MESSAGE

On motion of Mr. Holladay, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 1030, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Brannan	Dill	Garrett
Adwell	Brassell	Dobbs	Graham
Agee	Burgreen	Downing	Grainger
Bassett	Collier	Drake	Grayson
Beck	Collins (W)	Ellis	Hain
Berryman (W)	Cook (Coffee)	Fine	Hardin
Blanton	Culver	Gafford	Harris

Haygood	McElhaney	Pearson	Steagall
Hill	McLain	Pennington	Stembridge
Hobbie	Meade	Pruitt	Tuck
Holman	Meeks	Robertson	Turnham
House	Melton	Sessions	Williams
Jackson (T)	Money	Shumate	Wood
Jones	Neville	Slate	Wright
Lemley	Owen (Baldwin)	Snell	Young
Marr	Owens (W)		

—62

Which was a majority of the whole number elected to the House.

And said bill:

H. 1030. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 24,800 nor more than 25,400, according to the most recent Federal Decennial Census.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Pearson
Agee	Dobbs	House	Pennington
Bassett	Doss	Jackson (T)	Pruitt
Beck	Downing	Jones	Robertson
Berryman (W)	Drake	Laxson	Sessions
Blanton	Ellis	Lemley	Shumate
Brannan	Fine	Marr	Slate
Brassell	Gafford	McLain	Snell
Brown	Graham	Meade	Steagall
Burgreen	Grainger	Meeks	Stembridge
Collier	Grayson	Melton	Tuck
Collins (W)	Hain	Money	Turnham
Cook (Coffee)	Hardin	Neville	Williams
Cook (Jefferson)	Harris	Owen (Baldwin)	Wood
Crane	Haygood	Owens (W)	Wright
Crawford	Hill	Paulk	Young
Culver	Holladay		

—66

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning House Bill No. 213 with a suggested Executive Amendment.

Respectfully submitted,

ROBERT M. CLECKLER,
Executive Secretary.

August 19, 1969

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you herewith, the Body in which it originated, House Bill No. 213 without my approval.

I respectfully suggest that House Bill No. 213 be amended by inserting the following words immediately after the words "Alabama Masonic Home", where they first appear in said bill:

"the American Cancer Society, Alabama Division, Inc., and all real and personal property of American Cancer Society, Alabama Division, Inc.,"

I have talked to the sponsor of this legislation and he informs me that it was an oversight that the American Cancer Society, Alabama Division, Inc. was omitted from the exemptions which were presently authorized by law.

The adoption of the suggested amendment will remove my objection to the bill.

Respectfully,

ALBERT P. BREWER,
Governor.

August 19, 1969

GOVERNOR'S MESSAGE

On motion of Mr. Merrill, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 213, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jones	Pearson
Adwell	Downing	Laxson	Pennington
Agee	Drake	Lemley	Perloff
Bassett	Edington	Lyons	Pruitt
Beck	Ellis	Manley	Robertson
Berryman (W)	Fine	Marr	Sessions
Blanton	Gafford	Mays	Shumate
Brannan	Garrett	McCorquodale	Snell
Brassell	Graham	McLain	Starnes
Burgess	Grainger	Meade	Steagall
Burgreen	Grayson	Melton	Stembridge
Collins (W)	Hain	Merrill	Tuck
Cook (Coffee)	Hardin	Money	Watkins
Cook (Jefferson)	Holladay	Neville	Williams
Crane	Holman	Owen (Baldwin)	Wood
Crawford	House	Owens (W)	Wright
Dill	Jackson (T)	Paulk	Young

—68

Which was a majority of the whole number elected to the House.

And said bill:

H. 213. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12(2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pruitt
Adwell	Edington	Lemley	Sessions
Agee	Ellis	Manley	Shumate
Bassett	Gafford	Marr	Slate
Beck	Garrett	McLain	Snell
Berryman (W)	Gloor	Meade	Starnes
Blanton	Graham	Melton	Steagall
Brannan	Grainger	Merrill	Stembridge
Brassell	Grayson	Money	Tuck
Burgreen	Hardin	Neville	Watkins
Collins (W)	Hobbie	Owens (W)	Williams
Cook (Coffee)	Holman	Paulk	Wood
Cook (Jefferson)	House	Pearson	Wright
Dobbs	Jackson (T)	Pennington	Young
Downing	Jones	Perloff	—59

Which was a majority of the whole number elected to the House.

BILLS ON THIRD READING RESUMED

And the bill:

S. 813. To propose an amendment to the Constitution of Alabama relating to Morgan County and the City of Hartselle and the City of Decatur, authorizing each of them separately or any two or more of them jointly, to purchase, construct, lease and otherwise acquire industrial, commercial and agricultural projects or sites, to lease, sell, exchange and otherwise convey all or any part of any such projects or sites; and, after an approving bond election, to issue its interest-bearing general obligation bonds therefor; to exempt bonds issued to finance the acquisition of industrial sites from the requirement of an election; to specify the details respecting such bond election; to limit the amount of bonds that said county and said cities may have outstanding under the authority of said amendment; to require, as a condition precedent to the issuance of any such bonds, a lease or other similar agreement providing for the payment to the issuer of such bonds of rentals sufficient to pay the debt service on such bonds; to require the pledge of such rentals for such bonds and to authorize other security for such bonds; to authorize the said county or said cities, as the case may be, if such action is necessary to prevent or cure a default on bonds issued by said county or cities, to levy ad valorem taxes, without limit as to rate or amount and in addition to all other taxes then authorized, on the assessed value of all taxable property therein; to provide that in carrying out the purpose of said amendment neither said county or said cities shall be subject to the provisions of Section 93 of the Constitution of Alabama; and to provide that said amendment shall be self-executing but that the legislature shall have the power to enact supplemental general, special or local legislation notwithstanding any contrary provisions of Section 104 of the Constitution of Alabama.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		—90

And the bill:

H. 1334. Relating to certain payments from the county treasuries of all counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census; fixing the amount of compensation and expense allowances that may be paid out of the treasury of any such county to certain county officers and their assistants and the amount of supplementary compensation and expense allowances that may be paid therefrom to certain officers of the circuit courts of the circuit in which such county lies.

Was taken up.

On motion of Mr. Smith, the bill, H. 1334, was indefinitely postponed.

And the bill:

H. 1512. To amend Act No. 111, H. 427, Regular Session 1963, (Acts 1963, p. 491) which provides for the employment of an additional assistant by the tax collector of Sumter County for portions of the fiscal year so as to provide further for the compensation of such assistant.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Beck	Brown	Collins (C)
Adwell	Berryman (W)	Burgess	Collins (W)
Agee	Blanton	Burgreen	Cook (Coffee)
Bank	Brannan	Cameron	Cook (Jefferson)
Bassett	Brassell	Collier	Crane

Crawford	Headley	McDonald	Robertson
Culver	Higginbotham	McElhaney	Sessions
Dill	Hobbie	McLain	Shumate
Dobbs	Holladay	Meade	Slate
Downing	Holman	Meeks	Smith
Drake	House	Melton	Snell
Edington	Jackson (T)	Merrill	Starnes
Ellis	Jones	Money	Steagall
Fine	Kilgore	Nettles	Stembridge
Gafford	Laxson	Neville	Tuck
Garrett	Lemley	Owen (Baldwin)	Turnham
Gloor	Lyons	Owens (W)	Waggoner
Graham	Malone	Paulk	Williams
Grainger	Manley	Pearson	Wood
Grayson	Marr	Pennington	Wright
Hain	Mathews	Perloff	Yeilding
Hardin	Mays	Pruitt	Young
Harris	McCorquodale		

—90

And the bill:

H. 1513. Relating to Sumter County; amending further Section 8 of Act No. 261, H. 571, Regular Session 1947 (Local Acts 1947, p. 187) in relation to the maximum compensation of the county engineer.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		

—90

And the bill:

H. 1514. Regulating the compensation of registrars of Sumter County, and providing for payment of additional compensation by the county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		

—90

And the bill:

H. 1515. Relating to counties having populations of not less than 17,800 nor more than 18,700, according to the most recent federal decennial census; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		

—90

And the bill:

H. 1516. To fix the compensation of the deputy sheriffs in counties having populations of not less than 17,800 nor more than 18,700.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		—90

And the bill:

H. 1553. To fix the compensation of the judge of probate and the sheriff in all counties having populations of not less than sixteen thousand one hundred and fifty (16,150) and not more than seventeen thousand three hundred and fifty (17,350) according to the last or any subsequent Federal decennial census and to provide an effective date to begin at the next term of office.

Was taken up.

On motion of Mr. Meade, the bill, H. 1553, was indefinitely postponed.

And the bill:

H. 1552. To amend Section 4 of an act approved June 14, 1949, entitled "An Act to prescribe the duties of the County Superintendent of Education of counties having a population between 16,300 and 17,300; to provide compensation for the performance of such duties; and to authorize travel and expenses pertinent to the duties of said Superintendent."

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		

—90

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 414. To amend the Code of Alabama, 1940, Title 51, Section 611 in relation to the license tax payable on motor vehicles.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 879. To extend, alter and rearrange the boundaries and corporate limits of the City of Florence so as to annex certain adjacent territory to the City of Florence.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

And the bill:

H. 1555. To alter, rearrange, extend, enlarge, and define the Corporate limits of the Town of Moulton, Lawrence County, Alabama, and to provide when this Act shall become effective.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		

—90

And the bill:

H. 1556. Relating to all counties having populations of not less than 17,400 nor more than 17,800, according to the most recent federal decennial census, to authorize and provide for an additional expense allowance for the chairman and members of the county governing body.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Berryman (W)	Burgreen	Cook (Jefferson)
Adwell	Blanton	Cameron	Crane
Agee	Brannan	Collier	Crawford
Bank	Brassell	Collins (C)	Culver
Bassett	Brown	Collins (W)	Dill
Beck	Burgess	Cook (Coffee)	Dobbs

Downing	Holladay	McLain	Sessions
Drake	Holman	Meade	Shumate
Edington	House	Meeks	Slate
Ellis	Jackson (T)	Melton	Smith
Fine	Jones	Merrill	Snell
Gafford	Kilgore	Money	Starnes
Garrett	Laxson	Nettles	Steagall
Gloor	Lemley	Neville	Stembridge
Graham	Lyons	Owen (Baldwin)	Tuck
Grainger	Malone	Owens (W)	Turnham
Grayson	Manley	Paulk	Waggoner
Hain	Marr	Pearson	Williams
Hardin	Mathews	Pennington	Wood
Harris	Mays	Perloff	Wright
Headley	McCorquodale	Pruitt	Yeilding
Higginbotham	McDonald	Robertson	Young
Hobbie	McElhaney		

—90

And the bill:

H. 1562. Relating to counties having populations of not less than 13,700 nor more than 14,300; to provide for the election and qualifications of members of the board of revenue, court of county commissioners, or other like governing body of any such county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		

—90

And the bill:

H. 1563. Relating to the county governing bodies in counties having a population between 22,350 and 24,000.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		

—90

And the bill:

H. 1564. Relating to Shelby County; authorizing any bank situated within the county to open, establish, operate and maintain branch banks, branch offices or other places of business within a certain area within said county.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		

—90

And the bill:

S. 869. To amend further Act No. 476, H. 627, Regular Session 1955 (Acts 1955 v. 11 p. 1084) as said act was amended by Act No. 276, H. 346, Acts of Alabama, Special Session 1966, p. 419, approved September 9, 1966, an act creating the office of Deputy Circuit Solicitor in the Twenty-third Judicial Circuit; and providing for his appointment, duties and compensation.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		—90

And the bill:

H. 1567. To authorize the governing bodies of Tuscaloosa County, the City of Tuscaloosa and the City of Northport to create the Tuscaloosa County Park and Recreation Authority, to appropriate funds to such authority, and to abolish existing park and recreation boards upon the establishment of such authority.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Burgess	Dill	Grainger
Adwell	Burgreen	Dobbs	Grayson
Agee	Cameron	Downing	Hain
Bank	Collier	Drake	Hardin
Bassett	Collins (C)	Edington	Harris
Beck	Collins (W)	Ellis	Headley
Berryman (W)	Cook (Coffee)	Fine	Higginbotham
Blanton	Cook (Jefferson)	Gafford	Hobbie
Brannan	Crane	Garrett	Holladay
Brassell	Crawford	Gloor	Holman
Brown	Culver	Graham	House

Jackson (T)	McDonald	Paulk	Starnes
Jones	McElhaney	Pearson	Steagall
Kilgore	McLain	Pennington	Stembridge
Laxson	Meade	Perloff	Tuck
Lemley	Meeks	Pruitt	Turnham
Lyons	Melton	Robertson	Waggoner
Malone	Merrill	Sessions	Williams
Manley	Money	Shumate	Wood
Marr	Nettles	Slate	Wright
Mathews	Neville	Smith	Yeilding
Mays	Owen (Baldwin)	Snell	Young
McCorquodale	Owens (W)		—90

UNANIMOUS CONSENT GRANTED

At the request of Mr. Yielding, unanimous consent was granted for the Journal to show that he inadvertently voted Yea on the bill, H. 1511, and he meant to vote Nay.

And the bill:

S. 705 (with amendment). Relating to Tuscaloosa County; to provide a chairman of the county governing body of such county; to prescribe his duties, powers and authority and fix his compensation; and to relieve the probate judge of such county of his duties, powers and authority as president and ex officio member of said governing body.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

Strike Section 1 in its entirety and insert in lieu thereof the following:

Section 1. After the expiration of the term of the incumbent probate judge of Tuscaloosa County, his successor shall be relieved of his duties, powers and authority as president and ex-officio member of the board of revenue or other like county governing body. Said duties, powers and authority shall be assumed by a chairman who shall be elected and who shall serve as hereinafter provided.

In Section 2 of the bill, strike the second sentence and insert the following words in lieu thereof:

Such chairman shall hold office for four years from the first Monday after the second Tuesday in January 1971 and until his successor shall have been elected and qualified.

And the amendment was adopted.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cook (Jefferson)	Ellis
Adwell	Brown	Crane	Fine
Agee	Burgess	Crawford	Gafford
Bank	Burgreen	Culver	Garrett
Bassett	Cameron	Dill	Gloor
Beck	Collier	Dobbs	Graham
Berryman (W)	Collins (C)	Downing	Grainger
Blanton	Collins (W)	Drake	Grayson
Brannan	Cook (Coffee)	Edington	Hain

Hardin	Malone	Nettles	Smith
Harris	Manley	Neville	Snell
Headley	Marr	Owen (Baldwin)	Starnes
Higginbotham	Mathews	Owens (W)	Steagall
Hobbie	Mays	Paulk	Stembridge
Holladay	McCorquodale	Pearson	Tuck
Holman	McDonald	Pennington	Turnham
House	McElhaney	Perloff	Waggoner
Jackson (T)	McLain	Pruitt	Williams
Jones	Meade	Robertson	Wood
Kilgore	Meeks	Sessions	Wright
Laxson	Melton	Shumate	Yeilding
Lemley	Merrill	Slate	Young
Lyons	Money		

—90

And the bill, S. 705, as thus amended,

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Sneil
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		

—90

And the bill:

S. 726. Relating to all counties having populations of not less than 18,000 nor more than 19,000, according to the most recent federal decennial census; to provide an expense allowance for the chairman and members of the governing body in such counties; to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Bank	Berryman (W)	Brassell
Adwell	Bassett	Blanton	Brown
Agee	Beck	Brannan	Burgess

Burgreen	Graham	Marr	Perloff
Cameron	Grainger	Mathews	Pruitt
Collier	Grayson	Mays	Robertson
Collins (C)	Hain	McCorquodale	Sessions
Collins (W)	Hardin	McDonald	Shumate
Cook (Coffee)	Harris	McElhaney	Slate
Cook (Jefferson)	Headley	McLain	Smith
Crane	Higginbotham	Meade	Snell
Crawford	Hobbie	Meeks	Starnes
Culver	Holladay	Melton	Steagall
Dill	Holman	Merrill	Stembridge
Dobbs	House	Money	Tuck
Downing	Jackson (T)	Nettles	Turnham
Drake	Jones	Neville	Waggoner
Edington	Kilgore	Owen (Baldwin)	Williams
Ellis	Laxson	Owens (W)	Wood
Fine	Lemley	Paulk	Wright
Gafford	Lyons	Pearson	Yeilding
Garrett	Malone	Pennington	Young
Gloor	Manley		—90

And the bill:

S. 826. To alter or re-arrange the boundaries of the Town of Cottonwood, Houston County, Alabama, so as to include within the corporate limits of said town all territory within such corporate limits and also certain other territory contiguous thereto.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		—90

And the bill:

S. 832. To regulate the compensation of jurors in counties having populations of not less than 15,500 nor more than 16,300.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		—90

And the bill:

S. 833. Relating to all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; to authorize and direct the county governing body of any such counties to allow and pay to the sheriff of said county an amount not in excess of four hundred dollars ($400.00) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately-owned automobile used on official business of the county.

Was taken up.

On motion of Mr. Tuck, the bill, S. 833, was indefinitely postponed.

And the bill:

S. 834. To provide clerical assistants to the judge of probate in all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; and to provide that their compensation shall be payable out of the county treasury.

Was taken up.

On motion of Mr. Tuck, the bill, S. 834, was indefinitely postponed.

And the bill:

S. 835. Relating to all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; authorizing the county governing body of each of such counties to provide for employment of clerical assistance for the tax assessor, whose compensation is payable out of county funds.

Was taken up.

On motion of Mr. Tuck, the bill, S. 835, was indefinitely postponed.

And the bill:

S. 836. To fix the compensation of the deputy solicitors of all counties having populations of not less than 13,500 nor more than 14,200 according to the most recent federal decennial census.

Was taken up.

On motion of Mr. Tuck, the bill, S. 836, was indefinitely postponed.

And the bill:

S. 837. To provide for the annual salary of the chief deputy sheriff in all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; and to prescribe the manner of payment thereof.

Was taken up.

On motion of Mr. Tuck, the bill, S. 837, was indefinitely postponed.

And the bill:

S. 852. To alter, rearrange and extend the boundary lines and corporate limits of the City of Fayette in Fayette County.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		—90

And the bill:

S. 853 (with amendment). To alter, rearrange and extend the boundary lines and corporate limits of the town of Detroit in Lamar County.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 1, said Committee amendment being as follows:

In Section 1 strike out the second paragraph in its entirety and substitute in lieu thereof the following: The NE¼-NE¼ of Section 13, all in T 12 S, R 16 W; also the NW¼-SW¼ and the W½-NE¼-SW¼ and the E½-SW¼-NW¼ of Section 7; the N½-NW¼ and the SE¼-NW¼ and the SW¼-NE¼ of Section 18, all in T 12 S, R 15 W.

And the amendment was adopted.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		

—90

And the bill, S. 853, as thus amended, was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		

—90

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1284. To amend Sections 1 and 2 of Act No. 486, H. 765, approved July 9, 1943, an act creating the Cahaba Historical Commission, so as to increase the membership of the board of trustees; to provide for the manner of their appointment; and to grant additional authority to the board.

McDOWELL LEE,
Secretary.

And the bill:

S. 862. To amend Section 5 of Act #226, Acts of Alabama, 1959, Page 765, to provide that the City of Gadsden shall pay into the Policemen's and Firemen's Retirement fund an amount equal to ten (10%) per cent of the salary of each member of the police and fire departments and to provide that each such member shall pay into said fund an amount equal to five (5%) per cent of his monthly salary; and to provide that a person must hold a position for three (3) years just before retirement or his percentage of pension shall be averaged as provided herein.

Was taken up.

Messrs. Wright and Malone offered the following substitute for the bill, S. 862:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 5 of Act #226, Acts of Alabama, 1959, Page 765, to provide that the City of Gadsden shall pay into the Policemen's and Firemen's Retirement fund an amount equal to nine (9%) per cent of the salary of each member of the police and fire departments and to provide that each such member shall pay into said fund an amount equal to four and one-half (4½%) per cent of his monthly salary; and to provide that a person must hold a position for three (3) years just before retirement or his percentage of pension shall be averaged as provided herein.

Be It Enacted by the Legislature of Alabama:

SECTION 1: Section 5 of Act No. 226, Acts of Alabama, 1959, Page 765, is hereby amended to read as follows:

Section 5: The policemen's and firemen's retirement fund shall consist of the following, namely: (a) All of the money, securities, and things of value belonging to any similar fund that may now or hereafter be maintained in the City of Gadsden; (b) All moneys or properties that may be given or donated to said fund by any persons, firm, association, or corporation for the uses and purposes for which said fund is created; and said board may take, by gift, grant, devise, or bequest, any money, personal property, real estate, or any interest therein, or any right of property, for the benefit of said fund; (c) 4½ per cent of the monthly salaries of each member of such police and fire departments, which shall be paid by the city clerk to the secretary-treasurer of said board of trustees on the first day of each month; and said 4½ per cent of such salaries shall be deducted from said salaries paid such members; (d) all

reward money paid to any member of such police and fire departments shall be paid by the recipients of the same into said retirement fund promptly upon receipts of the same; (e) all civil or criminal witness fees received by any member of the police and fire departments for attendance at or before any court or grand jury in Etowah County are located shall be paid into said retirement fund promptly upon the receipt of such fees by the recipients of the same; (f) the governing body of the city shall cause to be paid into said policemen's and firemen's retirement fund, out of the treasury of such city, an amount equal to nine per cent of the salary of each member of such police and fire departments who contributes to said fund, and such payment shall be made as and when such salary becomes payable and deduction therefrom is made as provided in this section; (g) the city clerk shall cover into said fund all seizure fees collected by the city in cases involving violation of the prohibition laws since the 1st day of February, 1946, and all such fees hereafter collected by the city.

Existing funds and property belonging to or part of any existing similar fund now or hereafter governed by the provisions of this Act, shall be held and administered, used and governed, and transferred and covered into the policemen's and firemen's retirement rund as provided herein, immediately upon this law becoming effective.

SECTION 2: Section 13, of Act No. 226, Acts of Alabama, 1959, Page 765, is hereby amended to read as follows:

Section 13: Except as otherwise provided in this subdivision each member who has been or who hereafter is retired shall receive a retirement benefit equal to fifty per centum of the current salary being paid to persons holding the same rank as such retired member held at the time of his retirement; provided, that the member at the time of his retirement shall have held the same rank or position during the three (3) years (36 months) next preceding his retirement; and provided, further, that if the member has held the rank or position at which he retires for a period less than three (3) years (36 months) just before his retirement, that his retirement benefits shall equal fifty (50) per centum of the average monthly salary applicable to the particular position or positions, and rank or ranks held by the member, during the three year period preceding retirement.

SECTION 3: All laws or parts of laws in conflict herewith are hereby repealed.

SECTION 4: This Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

And the substitute was adopted.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Burgreen	Downing	Hardin
Adwell	Cameron	Drake	Harris
Agee	Collier	Edington	Headley
Bank	Collins (C)	Ellis	Higginbotham
Bassett	Collins (W)	Fine	Hobbie
Beck	Cook (Coffee)	Gafford	Holladay
Berryman (W)	Cook (Jefferson)	Garrett	Holman
Blanton	Crane	Gloor	House
Brannan	Crawford	Graham	Jackson (T)
Brassell	Culver	Grainger	Jones
Brown	Dill	Grayson	Kilgore
Burgess	Dobbs	Hain	Laxson

Lemley	Meade	Pennington	Steagall
Lyons	Meeks	Perloff	Stembridge
Malone	Melton	Pruitt	Tuck
Manley	Merrill	Robertson	Turnham
Marr	Money	Sessions	Waggoner
Mathews	Nettles	Shumate	Williams
Mays	Neville	Slate	Wood
McCorquodale	Owen (Baldwin)	Smith	Wright
McDonald	Owens (W)	Snell	Yeilding
McElhaney	Paulk	Starnes	Young
McLain	Pearson		—90

And the bill, S. 862, as thus amended:

S. 862. To amend Section 5 of Act #226, Acts of Alabama, 1959, Page 765, to provide that the City of Gadsden shall pay into the Policemen's and Firemen's Retirement fund an amount equal to nine (9%) per cent of the salary of each member of the police and fire departments and to provide that each such member shall pay into said fund an amount equal to four and one-half (4½%) per cent of his monthly salary; and to provide that a person must hold a position for three (3) years just before retirement or his percentage of pension shall be averaged as provided herein.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		—90

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 129. Extending sympathy to Representative Robert Charles Gafford on the death of his parents, Mr. and Mrs. Grover Cleveland Gafford.

Also:

H. J. R. 130. Mourning the death of Mr. Roy Hilton Adwell, father of Representative Robert G. Adwell.

Also:

H. J. R. 133. Memoralizing Congress to propose an amendment to Amendment Fourteen of the Constitution of the United States.

Also:

H. J. R. 137. Congratulating the "Greater Hueytown Dixie Boys Baseball Team" on being named Dixie Boys World Champions of 1969.

Also:

H. J. R. 140. Commending Mr. Kenneth R. Giddens of Mobile on having been appointed head of the Voice of America.

McDOWELL LEE,
Secretary.

And the bill:

S. 863. To alter and rearrange the boundaries between the City of Gadsden and the City of Glencoe so as to detach certain territory from the City of Glencoe and annex the same to the City of Gadsden.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		

—90

And the bill:

S. 864. Relating to the Fourth Judicial Circuit; providing for a supplemental salary to be paid from Dallas County funds to the associate circuit judge residing in said county.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		—90

And the bill:

S. 871. Relating to counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census; to authorize the county governing body of each such county to provide for the payment of certain expenses heretofore incurred by certain county officers of the county and to validate certain payments heretofore made by such county governing bodies.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		—90

And the bill:

S. 879. To apply only in counties having populations of not less than 18,000 nor more than 19,000 according to the most recent federal decennial census, authorizing such counties to appropriate certain funds for public buildings and furnishings.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		

—90

And the bill:

S. 884. To repeal Act No. 663, H. 902, Regular Session 1967 (Acts 1967, p. 1485), an Act providing for the payment into the general fund of Morgan County of all fees collected as solicitors' fees in the Morgan County Court.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Collins (C)	Garrett	Jones
Adwell	Collins (W)	Gloor	Kilgore
Agee	Cook (Coffee)	Graham	Laxson
Bank	Cook (Jefferson)	Grainger	Lemley
Bassett	Crane	Grayson	Lyons
Beck	Crawford	Hain	Malone
Berryman (W)	Culver	Hardin	Manley
Blanton	Dill	Harris	Marr
Brannan	Dobbs	Headley	Mathews
Brassell	Downing	Higginbotham	Mays
Brown	Drake	Hobbie	McCorquodale
Burgess	Edington	Holladay	McDonald
Burgreen	Ellis	Holman	McElhaney
Cameron	Fine	House	McLain
Collier	Gafford	Jackson (T)	Meade

Meeks	Paulk	Slate	Turnham
Melton	Pearson	Smith	Waggoner
Merrill	Pennington	Snell	Williams
Money	Perloff	Starnes	Wood
Nettles	Pruitt	Steagall	Wright
Neville	Robertson	Stembridge	Yeilding
Owen (Baldwin)	Sessions	Tuck	Young
Owens (W)	Shumate		—90

And the bill:

S. 892. Relating to counties having populations of not less than 55,000 nor more than 60,000, according to the most recent federal decennial census; and providing for direct distribution to certain municipalities within such counties of their proportionate share of gasoline tax proceeds allocated for municipalities in such counties.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		—90

MOTION TO RECONSIDER S. 705

Having voted with the prevailing side on the passage of the bill, S. 705, Mr. Robertson moved to reconsider the vote by which the bill was passed.

And the motion was adopted.

Mr. Robertson then offered the following amendment to the bill, S. 705:

Strike out Section 6 in its entirety and substitute in lieu thereof the following:

Section 6. This Act shall be inoperative and void unless it shall have been approved by a majority of the qualified electors of Tuscaloosa County who vote thereon at a referendum election held for such

purpose. The election shall be held and conducted as nearly as may be in the same way as elections on amendments to the Constitution, and shall be held on the same day as the constitutional amendment election next following final passage of this Act. Notice of the election shall be given by the judge of probate of Tuscaloosa County, which notice shall be published once a week for three successive weeks before the day of the election. On the ballots to be used at the election, the proposition to be voted on shall be stated substantially as follows:

"Do you favor the local law relieving the judge of probate of Tuscaloosa County of his powers, duties, and authority as president and ex officio member of conunty governing body, and providing for assumption of such duties, powers and authority by a chairman of such governing body? Yes ( ) No ( )." If a majority of the votes cast at the election are affirmative votes, this Act shall be in full force and effect immediately thereafter. If a majority of the votes cast are in the negative, the Act shall have no further effect. The judge of probate of Tuscaloosa County shall certify the results of the election to the Secretary of State immediately after the returns have been certified.

And the amendment was adopted.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		

—90

And the bill, S. 705, as thus amended, was again read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Blanton	Collier	Culver
Adwell	Brannan	Collins (C)	Dill
Agee	Brassell	Collins (W)	Dobbs
Bank	Brown	Cook (Coffee)	Downing
Bassett	Burgess	Cook (Jefferson)	Drake
Beck	Burgreen	Crane	Edington
Berryman (W)	Cameron	Crawford	Ellis

Fine	Jackson (T)	Meeks	Shumate
Gafford	Jones	Melton	Slate
Garrett	Kilgore	Merrill	Smith
Gloor	Laxson	Money	Snell
Graham	Lemley	Nettles	Starnes
Grainger	Lyons	Neville	Steagall
Grayson	Malone	Owen (Baldwin)	Stembridge
Hain	Manley	Owens (W)	Tuck
Hardin	Marr	Paulk	Turnham
Harris	Mathews	Pearson	Waggoner
Headley	Mays	Pennington	Williams
Higginbotham	McCorquodale	Perloff	Wood
Hobbie	McDonald	Pruitt	Wright
Holladay	McElhaney	Robertson	Yeilding
Holman	McLain	Sessions	Young
House	Meade		

—90

And the bill:

S. 825. Relating to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census; providing for the payment by such counties of the salary and expenses of an investigator appointed by the district attorney of the judicial circuits in which such counties are located.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		

—90

And the bill:

S. 859. Authorizing the Board of County Commissioners or like governing body of Madison County, Alabama to appropriate and pay county funds to volunteer nonprofit fire departments and volunteer nonprofit corporations or organizations, organized for the purpose of providing volunteer service in emergency situations arising in said Madison County, for the purchase of equipment, materials and supplies.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		—90

And the bill:

S. 860. To amend Act No. 23, H. 109, Special Session 1964 (Acts First and Second Special Session 1964, p. 44) as said act was amended by Act No. 659, H. 802, Regular Session 1967 (Acts, Organizational, Special Regular Sessions 1967, Vol. II p. 1482) an act applying only in counties having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Cook (Jefferson)	Hardin	Mays
Adwell	Crane	Harris	McCorquodale
Agee	Crawford	Headley	McDonald
Bank	Culver	Higginbotham	McElhaney
Bassett	Dill	Hobbie	McLain
Beck	Dobbs	Holladay	Meade
Berryman (W)	Downing	Holman	Meeks
Blanton	Drake	House	Melton
Brannan	Edington	Jackson (T)	Merrill
Brassell	Ellis	Jones	Money
Brown	Fine	Kilgore	Nettles
Burgess	Gafford	Laxson	Neville
Burgreen	Garrett	Lemley	Owen (Baldwin)
Cameron	Gloor	Lyons	Owens (W)
Collier	Graham	Malone	Paulk
Collins (C)	Grainger	Manley	Pearson
Collins (W)	Grayson	Marr	Pennington
Cook (Coffee)	Hain	Mathews	Perloff

Pruitt	Smith	Tuck	Wood
Robertson	Snell	Turnham	Wright
Sessions	Starnes	Waggoner	Yeilding
Shumate	Steagall	Williams	Young
Slate	Stembridge		

—90

And the bill:

S. 867. To authorize the creation of a public corporation in Madison County, Alabama, which shall have the power to construct, lease, build, install, acquire, own, operate, maintain, equip, use and control marinas, ports, waterfront facilities, docks, wharves, piers, berths, quays, warehouses, industrial sites, industrial and factory buildings and the necessary or convenient approaches, easements, roads, streets and ways leading thereto or used in conjunction therewith; to prescribe the duties and powers of such public corporation, including but not limited to, the power to enter into contracts or agreements with persons, firms or corporations, public or private, with the United States of America or with any of its agents or departments as well as with the various states and the subdivisions and municipal corporations created thereby; to authorize the issuance of revenue bonds and revenue refunding bonds payable from the revenues of authorized projects, to pay the cost of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; and providing that no debt of a state, political subdivision thereof or of any municipality created thereby shall be incurred in the exercise of any of the powers granted by this act.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		

—90

And the bill:

S. 868. To amend further Act No. 658, H. 1030, approved November 21, 1959, as amended by Act No. 124, S. 28, Acts of Alabama 1961, p. 2047 and as further amended by Act No. 173, H. 296, approved July 30, 1965, Acts of Alabama 1965, p. 243, an act providing for a privilege license or excise tax in Madison County on the sale, distribution, storage, use or other consumption in the county of cigarettes.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		

—90

And the bill:

S. 840. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 5, Township 15 North, Range 18 East, Montgomery County, Alabama.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		

—90

And the bill:

S. 843. To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in Counties having a population of not less than 150,000 nor more than 300,000 persons, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		—90

And the bill:

S. 857. To regulate further fees of justices of the peace in all counties having populations of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census; and to provide that in lieu of justices' fees in criminal cases in such counties for the collection by justices of the peace of a fixed charge per case in all criminal cases, all of which must be remitted to the state, and for the payment by the state of compensation to justices of the peace for all their services pertaining to criminal cases tried in their respective courts on the basis of their case loads.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Blanton	Collier	Culver
Adwell	Brannan	Collins (C)	Dill
Agee	Brassell	Collins (W)	Dobbs
Bank	Brown	Cook (Coffee)	Downing
Bassett	Burgess	Cook (Jefferson)	Drake
Beck	Burgreen	Crane	Edington
Berryman (W)	Cameron	Crawford	Ellis

Fine	Jackson (T)	Meeks	Shumate
Gafford	Jones	Melton	Slate
Garrett	Kilgore	Merrill	Smith
Gloor	Laxson	Money	Snell
Graham	Lemley	Nettles	Starnes
Grainger	Lyons	Neville	Steagall
Grayson	Malone	Owen (Baldwin)	Stembridge
Hain	Manley	Owens (W)	Tuck
Hardin	Marr	Paulk	Turnham
Harris	Mathews	Pearson	Waggoner
Headley	Mays	Pennington	Williams
Higginbotham	McCorquodale	Perloff	Wood
Hobbie	McDonald	Pruitt	Wright
Holladay	McElhaney	Robertson	Yeilding
Holman	McLain	Sessions	Young
House	Meade		—90

And the bill:

S. 567. Proposing a constitutional amendment relative to the title and use of sixteenth section school lands lying within the corporate limits of the City of Mobile.

Was read a third time at length and passed.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Kilgore	Paulk
Adwell	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lyons	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Blanton	Garrett	Mathews	Shumate
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Brown	Grainger	McDonald	Snell
Burgess	Grayson	McElhaney	Starnes
Burgreen	Hain	McLain	Steagall
Cameron	Hardin	Meade	Stembridge
Collier	Harris	Meeks	Tuck
Collins (C)	Headley	Melton	Turnham
Collins (W)	Higginbotham	Merrill	Waggoner
Cook (Coffee)	Hobbie	Money	Williams
Cook (Jefferson)	Holladay	Nettles	Wood
Crane	Holman	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (T)	Owens (W)	Young
Dill	Jones		—90

And the bill:

H. 1220. Defining, regulating, and providing for the licensing of employment agencies; providing for the revocation and suspension of licenses subject to appeal; requiring the Department of Labor and the director thereof to enforce and administer this Act and defining the powers and duties of such department and director relative thereto; prescribing penalties; and repealing conflicting laws.

Was taken up.

Mr. Nettles raised a point of order as to the bill, H. 1220, being signed out of committee, and the Speaker recommitted the bill to the Standing Committee on Business and Labor.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Radney:

S. 846. To make a conditional appropriation from the state treasury for the construction, equipment and furnishing of a substation in Tallapoosa County for the Department of Public Safety.

Also:

By Mr. Jackson:

S. 883. To transfer all portions of any State Forest that lie within boundary of counties having between 32,500 and 34,000 population to the Division of State Parks.

Also:

By Mr. Cooper:

S. 889. To transfer all portions of any State Forest that lie within boundary of counties having between 22,350 and 24,000 population to the Division of State Parks.

Also:

By Messrs. Nabors, McCarley, Harris, Skidmore, Lindsey, Leonard, Givhan, Cooper, Goodwyn, Stone, Jackson, Branyon, Giles, Folsom, Gilmore, Pelham, Vacca, Turner, Oden, Adams, Clark, Lolley, Radney, Torbert and Carr:

S. 887. To propose an amendment to the Constitution of Alabama authorizing the Legislature to provide for promotion of production, distribution, marketing, use, improvement and sale of soybeans.

Also:

By Messrs. Cooper, Goodwyn, Stone, Jackson, Branyon, Giles, Folsom, Gilmore, Pelham, Torbert, Vacca, Oden, Turner, Adams, Clark, Lolley, Radney, Carr, Nabors, McCarley, Harris, Skidmore, Lindsey, Leonard and Givhan:

S. 888. To authorize and provide for the promotion of the production, marketing and use of soybeans and soybean products by research, education, advertising and other methods; authorizing soybean producers to act jointly with handlers, buyers and processors of soybeans and with the State Board of Agriculture and Industries for a promotional program; providing that producers of soybeans may by referendum levy upon themselves assessments for financing a promotional program and for the collection and expenditure of such assessments; prescribing duties of the Commissioner of Agriculture and Industries, with respect to such a promotional program; and providing for the administration thereof by a non-profit association; and providing for the collection of assessments by dealers, handlers and other buyers of soybeans; requiring an annual permit of such dealers, processors and other buyers; refund rights of sellers of soybeans; and other administrative, enforcement and penalty provisions.

Also:

By Messrs. Torbert and Pierce:

S. 460. To amend Sections 499, 501 and 502 of Chapter 1 of Title 2 of the Code of Alabama of 1940; and to repeal Sections 498 and 500 of Chapter 1 of Title 2 of the Code of Alabama of 1940, all of which relate to chemical laboratory analyses of substances, products and materials by the Department of Agriculture and Industries.

Also:

By Mr. Clark:

S. 880. To provide that no election heretofore or hereafter held pursuant to the provisions of Section 254 to 274, inclusive, of Title 52 of the Code of Alabama of 1940 for the purpose of consolidating as a single school tax district all the area of a county lying outside the corporate limits of any city having a population of 2,500 or more, and the levy within such school tax district, at the maximum rate and for the maximum time allowed by law, of the special school tax authorized by Section 2 of Constitutional Amendment III shall be rendered invalid by reason of erroneous description in the proceedings, notice, or ballot relating to such election of the existing school tax districts or other territory to be so consolidated, or by any invalidity in any prior proceeding or election with respect to a school tax district lying within the area to be covered by such new school tax district.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 846. State Administration.

S. 883. State Administration.

S. 889. State Administration.

S. 887. State Administration.

S. 888. State Administration.

S. 460. State Administration.

S. 880. Education.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Mr. Nabors:

S. 519. To provide that certain school lunchroom managers and assistants to such managers may become members of the Teachers' Retirement System and shall receive all the benefits provided for teachers under the provisions of Code of Alabama 1940, Title 52, Chapter 14; to place the duty of collecting the employees' contributions to the Teachers' Retirement System on the county or city board of education employing

such school lunchroom managers and assistants to such managers and also the duty of remitting to the secretary-treasurer of the retirement system both the employer's and the employees' contributions to the system; to provide for the payment of the employer's liability on account of matching contributions and providing for prior service of such school lunchroom managers and assistants to such managers out of funds in the Alabama Special Educational Trust Fund which have been appropriated therefor to the state department of education and distributed by such department to the several county and city boards of education employing lunchroom managers and assistants to such managers; and to make an appropriation to carry out the provisions of this Act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 519. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Carr and Nabors:

S. 692. Regulating the practice of radiologic technology, providing for appointment and operation of the Board of Radiologic Technologists Examiners for the State of Alabama; providing for examination and licensing of radiologic technologists; providing for the enforcement of this act; and prescribing penalties and fees.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 692. Health.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 749. To prohibit the discharge of litter and sewage and certain other materials from a watercraft into the waters of this State; to prohibit discharge of untreated sewage from marine toilets; to require treatment of sewage discharged by marine toilets; to authorize the State Board of Health to adopt rules and regulations for discharge of sewage and litter from watercraft, including requirements for permits to restrict manufacturers of marine toilets and devices to comply with

regulations; to authorize revocation of certification of watercraft after certain convictions; to require litter or trash receptacles for marinas; to provide for enforcement by the Board of Health and Department of Conservation; to prescribe the method of prosecution and penalties for violation of this Act and rules and regulations; to require fines to be paid into the General Fund and to provide for expenditures of funds for carrying out this Act from Federal Funds or other funds available to the Board of Health or state.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Waggoner, the House concurred in and adopted the Senate amendment to the bill, H. 749, said Senate amendment being as follows:

Amend HB 749 by deleting in its entirety Section 3 (b) and inserting in lieu thereof the following:

"(b) No person owning or operating a watercraft, manufactured subsequent to the passage of this Act, with a marine toilet, shall use, or permit the use of, such toilet on the waters of this State, unless the toilet is equipped with facilities that will adequately treat, hold, incinerate or otherwise handle sewage in a manner that is capable of preventing water pollution in accordance with rules and regulations adopted pursuant to this Act."

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Drake	Malone	Perloff
Bassett	Edington	Manley	Pruitt
Beck	Ellis	Marr	Robertson
Berryman (W)	Fine	Mays	Sessions
Brannan	Garrett	McCorquodale	Slate
Brassell	Graham	McElhaney	Smith
Burgreen	Grayson	Meade	Snell
Collier	Hain	Meeks	Springer
Collins (C)	Hardin	Melton	Steagall
Collins (W)	Harris	Merrill	Tuck
Cook (Coffee)	Headley	Money	Waggoner
Crane	Higginbotham	Nettles	Williams
Crawford	Holman	Neville	Wood
Culver	Jones	Owen (Baldwin)	Wright
Dill	Kilgore	Owens (W)	Yeilding
Dobbs	Laxson	Pennington	Young
Downing	Lemley		

—66

MOTION TO REASSIGN S. 528

On motion of Mr. Edington, the bill, S. 528, was reassigned from the Standing Committee on Ways and Means to the Standing Committee on State Administration.

And the bill:

H. 644 (with amendment). Requiring the registration and licensing of barbers and barber apprentices, and barber colleges, creating for the administration of this Act a State Board of Barber Examiners, and defining violation of this Act and prescribing penalties therefor.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Strike Section 15 of the bill and insert in lieu thereof the following:

Section 15. Nothing in this act shall abrogate or affect any of the provisions of the public health laws, the state sanitary code or any general or local laws or municipal ordinances, except to the extent that this act shall provide minimum qualifications and requirements for the practice of barbering and the operation of barber shops and barber colleges.

And the amendment was adopted.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Dill	House	Owen (Baldwin)
Agee	Dobbs	Kilgore	Paulk
Bank	Doss	Laxson	Pennington
Bassett	Downing	Lemley	Perloff
Beck	Drake	Lyons	Sessions
Berryman (W)	Edington	Malone	Slate
Blanton	Ellis	Manley	Smith
Bowers	Fine	Marr	Snell
Brannan	Garrett	McCorquodale	Starnes
Brassell	Gloor	McDonald	Steagall
Burgreen	Graham	McElhaney	Stembridge
Cameron	Grainger	McLain	Tuck
Cherner	Grayson	Meade	Williams
Collier	Hain	Melton	Wood
Collins (W)	Hardin	Merrill	Wright
Cook (Jefferson)	Harris	Money	Yeilding
Crawford	Hill	Nettles	Young
Culver	Holman		

—70

And the bill, H. 644, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 69; Nays 7.

Yeas:

Mr. Speaker	Edington	Lemley	Paulk
Bank	Ellis	Lyons	Pennington
Bassett	Fine	Malone	Perloff
Beck	Gloor	Manley	Robertson
Berryman (W)	Graham	Marr	Sessions
Brannan	Grainger	Mays	Slate
Brassell	Grayson	McDonald	Smith
Brown	Hardin	McElhaney	Snell
Burgreen	Harris	McLain	Springer
Collier	Higginbotham	Meade	Starnes
Collins (W)	Hill	Meeks	Steagall
Cook (Coffee)	Holladay	Melton	Tuck
Cook (Jefferson)	House	Merrill	Williams
Culver	Jackson (T)	Money	Wood
Dobbs	Jones	Nettles	Wright
Doss	Kilgore	Neville	Yeilding
Downing	Laxson	Owen (Baldwin)	Young
Drake			

—69

Nays:

Messrs.:	Dill	Hain	Pruitt
Blanton	Garrett	Mathews	Shumate

—7

And the bill:

H. 194 (with substitute, with amendment). Providing further for the regulation of transportation companies and public utilities; establishing and providing for a state department of transportation and utilities, a board to be known as the Alabama board of transportation and utilities, and the offices of administrator of transportation and utilities and of executive assistant to such administrator; providing that such department shall be in charge of an administrator who shall be appointed by and serve at the pleasure of and whose actions shall be supervised and controlled by a legislative committee on transportation and utilities, which is hereby created and provided for; prescribing the qualifications, powers, duties, and compensation of the administrator; providing for the appointment of the board of transportation and utilities, and prescribing the powers, duties and authority of such board; prescribing the qualifications, compensation, term of office and duties of the members of such board; prescribing certain procedures for rule, order and decision making by the board of transportation and utilities, regulating hearings before such board, and providing for appeals from its orders, determinations, rules and regulations; abolishing the Alabama Public Service Commission and transferring the functions, funds, personnel, records, equipment, furniture, fixtures and other property and effects, some to the department of transportation and utilities and some to the board.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Transportation, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Providing further for the regulation of transportation companies and utilities; establishing and providing for the office of Administrator of the Alabama Public Service Commission; establishing and providing for the office of Assistant Administrator of said commission; providing that said Administrator shall be appointed by the commission; prescribing the qualifications, powers, duties, and compensation of the Administrator and Assistant Administrator; providing that the Administrator shall exercise administrative supervision with respect to the employees of the commission; prescribing the compensation for the President of the Alabama Public Service Commission and the associate members thereof; providing for the commission attorney to exercise certain functions as a hearing examiner including functions with respect to motor carriers; and prescribing a pre-trial hearing procedure; and providing for certain additional standards as to the rendition of service of public utilities and transportation companies; and providing for the interest rate to be applied on certain rates and charges refunded to a consumer.

Be It Enacted by the Legislature of Alabama:

Section 1. The Administrator of the Alabama Public Service Commission shall be appointed by a majority of the commission for a term of (6) six years.

Section 2. (a) The Administrator acting under direction of the President of the Commission, shall have general supervision of the em-

ployees of the commission (with exception of the commission members and the commission attorney), and shall be responsible for the administrative operation of the commission. He shall prescribe the qualifications of, appoint and remove such officers and employees as are needed in the operation of the commission and to carry out the orders of the commission; all such officers and employees, except one Assistant Administrator shall be employed and discharged subject to the provisions of the Alabama Merit System Act and the rules and regulations issued pursuant thereto. He shall handle all administrative, fiscal, and personnel matters for the commission, including the providing of assistance to the commission and the individual members thereof; the procuring and furnishing of stationery, records, supplies, furniture, and equipment needed for the porper functioning of the commission and the procuring and assigning of office space or quarters to the commission and the employees of the commission. He shall keep an accurate and complete record of all commission proceedings and assume responsibility for custody and preservation of all papers and documents of the commission. He shall serve as Administrator of the commission and shall certify copies of commission minutes, orders and other official documents of the commission as such Administrator.

(b) Each Commissioner shall have authority to hire one administrative assistant and one personal secretary.

Section 3. (a) The Administrator shall be selected with special reference to his training, experience, capacity and fitness for the duties of Administrator of the commission. He shall not be less than thirty-five (35) years of age nor shall he own any stock or be otherwise pecuniarily interested in any public utility or transportation company as defined in Code of Alabama 1940, Title 48, nor be employed by any such utility or company.

(b) The Administrator shall not be eligible for an appointment or election to any state, county or municipal office nor shall he be a member of a committee of any political party during the term for which he is appointed. Violation of this provision shall automatically vacate the office of Administrator.

Section 4. Before entering upon the duties of his office, the Administrator shall take and subscribe to the oath prescribed by Article XVI, Section 279 of the Constitution of 1901. Such oath shall be filed in the office of the Secretary of State. The Administrator shall be a commissioned officer of the State.

Section 5. The Administrator shall receive an annual salary of twenty-one thousand five-hundred dollars ($21,500) per annum. The annual salary of his Assistant Administrator shall be fifteen thousand dollars ($15,000) per annum.

Section 6. The Assistant Administrator shall have such duties and responsibilities as the Administrator, within the scope of his authority, may assign to him.

Section 7. Notwithstanding any other laws to the contrary, the annual salary of the President of the Alabama Public Service Commission is hereby fixed at twenty-two thousand nine-hundred dollars ($22,900) per annum, and the salary of the associate members of the commission are hereby fixed at twenty-two thousand four-hundred dollars ($22,400) per annum. Such salary schedules shall become effective as prescribed by and in accordance with Constitutional Amendment XCII, submitted May 6, 1952, and proclaimed ratified May 16, 1952 (Proclamation Records, Vol. I, p. 4).

Section 8. (a) The President of the Public Service Commission shall preside at all hearings conducted by the Commission, and shall

perform the usual duties of the chair, such as maintaining order and ruling on all questions relative to procedure which arise. He shall designate one of the associate members to preside in his absence. It shall be the duty of each member of the Public Service Commission to attend every hearing conducted by the commission or, if he is absent, to explain his absence. The explanation of a member's absence shall be set out in full in the record of the hearing or in the minutes of the commission. Whenever the President is absent and an associate member, designated by him presides at a hearing, the President's designation of such associate member to preside shall be entered in the record of the hearing or the minutes of the commission, along with the entry of the explanation of the President's absence. Each member of the commission shall devote his whole time to his official business. He shall reside at the State Capitol during the time he continues in office, except during epidemics.

(b) The commission, in addition to its other powers, shall have the authority, after opportunity for hearing has been afforded to the affected utility or transportation company, to prescribe reasonable and adequate standards of service rendered or to be rendered by any utility or transportation company.

Section 9. A final decision or order adverse to a party in a contested case shall be in writing or stated in the record. A final decision shall include findings of fact and conclusions of law, separately stated. Findings of fact, if set forth in statutory language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings. Parties shall be notified either personally or by mail of any decision or order. Upon request a copy of the decision or order shall be delivered or mailed forthwith to each party and to his attorney of record.

Section 10. The commission shall file in the office of the Secretary of State a certified copy of each rule adopted by it, including all rules existing on the effective date of this act. The Secretary of State shall keep a permanent register of the rules open to public inspection.

Section 11. All employees of the commission engaged in the enforcement of orders, rules and regulations, or in the enforcement of laws relative to public utilities shall be designated as law enforcement officers. Such law enforcement officers shall have the same power and authority to arrest for violations of such laws, orders, decisions, rules and regulations as sheriffs, deputy sheriffs and other law enforcement officers have. The secretary is also specifically authorized to enlist the aid of local law enforcement officers in the enforcement of the orders, decisions, rules and regulations of the commission; and all sheriffs, deputy sheriffs, city policemen and other police officers are hereby directed to aid and assist the Administrator in such enforcement.

Section 12. (a) Notwithstanding any law to the contrary, the commission attorney employed pursuant to Section 13 of Title 48 of the Code of Alabama shall receive an annual salary, not exceeding twenty-one thousand five-hundred dollars ($21,500) per annum. In addition to all other duties and responsibilities now imposed upon such attorney, he shall have the authority, when so directed by the President of the commission, to sit and function as a hearing examiner. Acting as hearing examiner, he is authorized to conduct hearings on any complaint, controversy or contested matter coming within the jurisdiction of the commission, except as to those matters which involve any increase or decrease in rates and charges by utilities and transportation companies. Acting as hearing examiner, he shall hear and take proof with respect to the complaint, controversy, or contested matter In the event he is unable to effect a satisfactory adjustment of any such complaint, controversy, or contested matter, it shall be his duty to make findings

of fact and conclusions of law from the record and to certify the same to the commission. The commission shall, after affording an opportunity to the parties for argument and hearing on the record taken by the hearing examiner, make its final order which shall be binding upon the parties to any such controversy and provided that such final order will be subject to the appellate procedures applicable to commission orders.

(b) All hearings with respect to certificates of public convenience and necessity, permits and licenses under the Alabama Motor Carrier Act of 1939, as amended, shall be heard by the commission attorney acting as hearing examiner, subject to the procedural requirements in (a) above, and such hearings shall be a condition precedent to the issuance, revocation, suspension or change in any certificate, permit or license prescribed in such act.

Section 13. The commission, or the commission attorney acting as hearing examiner within the scope of his authority outlined herein, shall have authority, after notice to the parties, to direct a pre-trial conference with respect to any contested matter. No formal record is required to be taken at the pre-trial conference and the purpose thereof shall be to attempt to clarify the facts or issues to be raised at the formal hearing. If, upon conclusion of the pre-trial conference the parties to the controversy have reached an agreement as to some or all of the fact, or other matters, such agreement shall be noted by the commission or the commission attorney and a copy of such agreement thereof furnished to each of the parties.

Section 14. The interest, on that portion of any rates, fares or charges, found to be excessive and which have been collected by a utility or transportation company pursuant to a supersedeas and pending an appeal or any subsequent appeal taken in accordance with the provisions of Sections 79-93 of Title 48, Code of Alabama, shall be computed at the same rate as is the rate of return fixed or allowed by the Alabama Public Service Commission or the court upon the final disposition of the case in which such appeal is taken.

Section 15. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 16. This act is supplemental. All laws regulating transportation companies, public utilities, the Public Service Commission and motor carriers, shall insofar as possible be construed in pari materia with this act and only so much thereof as specifically conflicts with this act is hereby repealed.

Section 17. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 69; Nays 3.

Yeas:

Mr. Speaker	Brannan	Cook (Jefferson)	Garrett
Agee	Brassell	Dill	Gloor
Bank	Burgreen	Dobbs	Graham
Bassett	Cameron	Downing	Grainger
Beck	Collier	Drake	Grayson
Berryman (W)	Collins (C)	Edington	Hain
Blanton	Collins (W)	Fine	Hardin
Bowers	Cook (Coffee)	Gafford	Harris

Headley	Manley	Neville	Starnes
Hill	McCorquodale	Pearson	Steagall
Hobbie	McLain	Pennington	Stembridge
Holladay	Meade	Perloff	Waggoner
Holman	Meeks	Sessions	Williams
House	Melton	Shumate	Wood
Jackson (T)	Merrill	Slate	Wright
Lemley	Money	Smith	Yeilding
Lyons	Nettles	Snell	Young
Malone			

—69

Nays: Messrs. Culver, Kilgore and Robertson —3

The question, then, was on the adoption of the amendment to the substitute reported by the Standing Committee on Transportation, said Committee amendment being as follows:

Amend Section 5 of the Substitute to H.B. 194 by striking the words "twenty-one thousand five-hundred dollars ($21,500)" and inserting in lieu thereof, the following: "twenty thousand five hundered ($20,500)".

Also, Amend Section 7 of the Substitute to H.B. 194 by striking the words "twenty-two thousand nine hundred dollars ($22,900)" and inserting in lieu thereof, the following: "twenty one thousand dollars ($21,000)".

Also, Amend Section 7 of the Substitute to H.B. 194 by striking the words "twenty-two thousand four-hundred dollars ($22,400)" and inserting in lieu thereof, the following: "twenty thousand five hundred dollars ($20,500)".

And the amendment was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owen (Baldwin)
Agee	Doss	Jackson (T)	Owens (W)
Bank	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lyons	Perloff
Blanton	Ellis	Malone	Robertson
Bowers	Fine	Manley	Sessions
Brannan	Gafford	Marr	Slate
Brassell	Garrett	Mathews	Smith
Brown	Gloor	Mays	Snell
Burgreen	Graham	McCorquodale	Starnes
Cameron	Grainger	McLain	Steagall
Collier	Grayson	Meade	Stembridge
Collins (C)	Hain	Meeks	Waggoner
Collins (W)	Hardin	Melton	Williams
Cook (Coffee)	Harris	Merrill	Wood
Cook (Jefferson)	Headley	Money	Wright
Crane	Hobbie	Nettles	Yeilding
Crawford	Holladay	Neville	Young
Dill	Holman		

—78

And the bill, H. 194, as thus amended:

Providing further for the regulation of transportation companies and utilities; establishing and providing for the office of Administrator

of the Alabama Public Service Commission; establishing and providing for the office of Assistant Administrator of said commission; providing that said Administrator shall be appointed by the commission; prescribing the qualifications, powers, duties, and compensation of the Administrator and Assistant Administrator; providing that the Administrator shall exercise administrative supervision with respect to the employees of the commission; prescribing the compensation for the President of the Alabama Public Service Commission and the associate members thereof; providing for the commission attorney to exercise certain functions as a hearing examiner including functions with respect to motor carriers; and prescribing a pre-trial hearing procedure; and providing for certain additional standards as to the rendition of service of public utilities and transportation companies; and providing for the interest rate to be applied on certain rates and charges refunded to a consumer.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 6.

Yeas:

Mr. Speaker	Crawford	Holladay	Owens (W)	
Agee	Dill	Holman	Pearson	
Bank	Dobbs	House	Pennington	
Bassett	Doss	Laxson	Perloff	
Beck	Downing	Lemley	Sessions	
Berryman (W)	Drake	Lyons	Slate	
Blanton	Edington	Malone	Smith	
Bowers	Ellis	Manley	Snell	
Brannan	Fine	Marr	Starnes	
Brassell	Gloor	McCorquodale	Steagall	
Burgreen	Graham	Meade	Stembridge	
Cameron	Grainger	Meeks	Stubbs	
Collier	Grayson	Melton	Waggoner	
Collins (C)	Hain	Merrill	Williams	
Collins (W)	Hardin	Money	Wright	
Cook (Coffee)	Harris	Nettles	Yeilding	
Cook (Jefferson)	Headley	Neville	Young	
Crane	Hobbie			—70

Nays:

Messrs.:	Gafford	Jackson (T)	Robertson	
Culver	Garrett	Kilgore		—6

UNANIMOUS CONSENT GRANTED

At the request of Mr. Haygood, unanimous consent was granted for the Journal to show that had he been in the House chambers he would have voted Yea on the bill, H. 644.

MOTION TO RECONSIDER H. 342

Mr. Higginbotham moved to reconsider the vote on the bill, H. 342, by which it was carried over one legislative day.

On motion of Mr. Turnham, the motion of Mr. Higginbotham was tabled.

Yeas 59; Nays 32.

Yeas:

Mr. Speaker	Dobbs	Lemley	Robertson
Agee	Doss	Malone	Shumate
Bassett	Drake	Marr	Slate
Beck	Edington	McCorquodale	Snell
Berryman (W)	Ellis	McDonald	Springer
Blanton	Fine	Meade	Starnes
Bowers	Gafford	Melton	Steagall
Brannan	Garrett	Money	Stembridge
Brown	Grainger	Neville	Stubbs
Burgess	Hain	Owen (Baldwin)	Turnham
Burgreen	Hardin	Owens (W)	Waggoner
Collier	Headley	Paulk	Wright
Cook (Coffee)	Holladay	Pearson	Yeilding
Cook (Jefferson)	Jones	Pennington	Young
Crawford	Laxson	Pruitt	—59

Nays:

Messrs.:	Dill	House	Nettles
Bank	Downing	Jackson (T)	Perloff
Brassell	Gloor	Kilgore	Sessions
Cameron	Graham	Manley	Smith
Cherner	Grayson	McElhaney	Tuck
Collins (C)	Harris	McLain	Watkins
Collins (W)	Hobbie	Meeks	Weeks
Crane	Holman	Merrill	Williams
Culver			—32

MOTION TO RECONSIDER H. 342

Mr. Turnham moved to reconsider the bill, H. 342.

On the motion of Mr. Turnham, his motion to reconsider was tabled.

Yeas 60; Nays 31.

Yeas:

Mr. Speaker	Crawford	Lemley	Robertson
Agee	Dobbs	Marr	Shumate
Bassett	Doss	McCorquodale	Slate
Beck	Drake	McDonald	Snell
Berryman (W)	Ellis	Meade	Starnes
Blanton	Fine	Melton	Steagall
Bowers	Gafford	Merrill	Stembridge
Brannan	Garrett	Money	Stubbs
Brown	Grainger	Neville	Tuck
Burgess	Hain	Owen (Baldwin)	Turnham
Burgreen	Hardin	Owens (W)	Waggoner
Collier	Headley	Paulk	Wood
Collins (W)	Holladay	Pearson	Wright
Cook (Coffee)	Jones	Pennington	Yeilding
Cook (Jefferson)	Laxson	Pruitt	Young
			—60

Nays:

Messrs.:	Dill	Hill	McLain
Bank	Downing	Hobbie	Meeks
Brassell	Edington	Holman	Nettles
Cameron	Gloor	House	Perloff
Cherner	Graham	Jackson (T)	Sessions
Collins (C)	Grayson	Kilgore	Smith
Crane	Harris	Malone	Springer
Culver	Higginbotham	McElhaney	Watkins

—31

MOTION TO BRING UP BILLS

The motion of Mr. McElhaney to bring up out of order the bills, H. 833, H. 834, H. 835, H. 836, H. 837 and H. 838 was lost.

Yeas 66; Nays 22.

Yeas:

Messrs.:	Dill	Holladay	Owens (W)
Adwell	Dobbs	Holman	Perloff
Agee	Doss	House	Pruitt
Bank	Downing	Jackson (T)	Robertson
Bassett	Drake	Jones	Sessions
Beck	Edington	Kilgore	Slate
Blanton	Ellis	Manley	Smith
Bowers	Gafford	Marr	Snell
Brannan	Gloor	McCorquodale	Springer
Brassell	Graham	McDonald	Starnes
Cameron	Grainger	McElhaney	Steagall
Cherner	Grayson	McLain	Turnham
Collier	Hain	Meeks	Waggoner
Collins (C)	Hardin	Melton	Watkins
Collins (W)	Harris	Money	Williams
Cook (Coffee)	Higginbotham	Nettles	Yeilding
Cook (Jefferson)	Hill	Neville	

—66

Nays:

Mr. Speaker	Garrett	Merrill	Shumate
Berryman (W)	Headley	Owen (Baldwin)	Stembridge
Brown	Laxson	Paulk	Stubbs
Burgess	Lemley	Pearson	Wood
Crawford	Lyons	Pennington	Young
Fine	Meade		

—22

And the bill:

H. 832. To provide for the control of air pollution within the State of Alabama; to create and establish an Air Pollution Control Commission; to prescribe the jurisdiction, powers, duties and functions of the Air Pollution Control Commission; to provide for an executive director of the Commission; to provide for the enforcement of the Act and orders, rules and regulations adopted by the Air Pollution Control Commission; prescribing penalties and making appropriations.

Was taken up.

Mr. McElhaney offered the following substitute to the bill, H. 832:

A BILL
TO BE ENTITLED
AN ACT

To provide for the control of air pollution within the State of Alabama; to create and establish an Air Pollution Control Commission; to prescribe the jurisdiction, powers, duties and functions of the Air Pollution Control Commission; to provide for an executive director of the Commission; to provide for the enforcement of the Act and orders, rules and regulations adopted by the Air Pollution Control Commission; prescribing penalties and making appropriations.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall be known and may be cited as the "Alabama Air Pollution Control Act."

Section 2. Declaration of Policy and Purpose. It is hereby declared to be the public policy of this State and the purpose of this Act to achieve and maintain such levels of air quality as will protect human health and safety, and to the greatest degree practicable prevent injury to plant and animal life and property, foster the comfort and convenience of the people, promote the economic and social development of this State and facilitate the enjoyment of the natural attractions of this State. Programs to control air pollution in this State will be undertaken in progressive steps. Each successive objective will be accomplished with a maximum of cooperation and conciliation among all parties concerned. Any measures, rules, and regulations undertaken or established to accomplish the purposes of this Act will be premised upon the best available scientific knowledge. Due consideration will be given to the need of the public for maximum employment, economic and industrial well being, the attraction or expansion of business, industry or commerce, and the health and safety of the citizens of this State.

Section 3. Definitions. The following words and terms as used in this Act, unless the context otherwise requires, shall have the meaning ascribed to them in this section:

(a) "Air Pollution" means the presence in the outdoor atmosphere of one or more air contaminants or combinations thereof in such quantities and of such characteristics, location and duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property or to the conduct of business within such areas of the State as shall be affected thereby.

(b) "Air Contaminant" means dust, fumes, mist, smoke, other particulate matter, vapor, gas, odorous substances, or any combination thereof.

(c) "Air Contamination Source" means any source at, from, or by reason of which there is admitted into the atmosphere any air contaminant regardless of whom the person may be who owns or operates the building, premises, or other property in, at, or on which source is located or the facility, equipment, or other property by which the emission is caused or from which the emission comes. Without limiting the generality of the foregoing, this term embraces structures of all types, including commercial, business and industrial plants, works, shops and stores, heating and power plants and stations, single and multiple family residences, apartments, houses, office buildings, public buildings, hotels, restaurants, schools, hospitals, churches, and other institutional buildings, aircraft, automobiles, trucks, tractors, buses and other motor vehicles, garages, vending locations, service stations, railroad locomotives, ships,

boats and other water-borne craft, portable fuel-burning equipment, incinerators of all types, indoor and outdoor, refuse dumps and piles, all stack and chimney outlets from any of the foregoing, and nature or natural sources.

(d) "Commission" means the Air Pollution Control Commission of the State of Alabama.

(e) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institutions, group, agency, legal entity, municipality, political subdivision of the State, or any other State or political subdivision or agency thereof and any legal successor, representative, agent, or agency in the foregoing which is recognized by law as the subject of rights and duties.

(f) "Air-Cleaning Device" means any method, process, or equipment which removes, reduces, or renders less noxious air contaminants discharged into the atmosphere.

(g) "Area of the State" means any city or county, or portion thereof or other geographical areas of the state as may be designed by the Air Pollution Control Commission.

(h) "Executive Director" The Executive Director of the Air Pollution Control Commission of the State of Alabama shall be the Chief Sanitary Engineer of the State Health Department and have the duties set forth in this Act.

Section 4. The Air Pollution Control Commission. (a) There is hereby created and established an Air Pollution Control Commission of the State of Alabama, hereinafter referred to as the "Commission" which shall be composed of twelve (12) voting members, and two (2) non-voting members. Four of its members shall be representative of the public, and shall be appointed by the Governor, with the advise and consent of the Senate. Four of its members shall be representatives of public health. One representative of public health shall be the State Health Officer. The remaining three representatives of public health shall be appointed by the Governor, with the advise and consent of the Senate, as follows: all three shall be physicians licensed to practice in this state and currently engaged in the practice of medicine in this State, and each shall be selected by the Governor from a panel of three names submitted by the State Board of Health, thus requiring initially the submission of three panels by the State Board of Health. Four of its members shall be representative of industry or business and shall be appointed by the Governor, with the advise and consent of the Senate, as follows: One shall be an individual actively engaged in industry or business for at least ten years immediately prior to appointment and shall be selected by the Governor from a panel of three names submitted by Associated Industries of Alabama; one shall be an individual actively engaged in industry or business for at least ten years immediately prior to appointment and shall be selected by the Governor from a panel of three names submitted by the Alabama State Chamber of Commerce; and the remaining two representatives of industry or business shall be individuals actively engaged in industry or business for at least ten years immediately prior to appointment and each shall be selected by the Governor from a panel of three names submitted by Alabama Mining Institute, Alabama Forest Products Association and Alabama Petroleum Council, thus requiring initially the submission of two panels. All of the members appointed by the Governor shall have been residents of the State of Alabama for not less than two years prior to their respective appointments. Two members of the Legislature, one from the House of Representatives and one from the Senate, each of whom shall be appointed by the Governor to serve on such Commission during his term of office as a member of the Legislature, shall serve as

non-voting members of the Commission. They shall be charged with all the duties of other members of the Commission and shall be entitled to the same remuneration for travel, subsistence and other expenses as such other members; but they shall not have a right to vote on any matter coming before the Commission.

(b) The term of each member representative of the public and appointed by the Governor shall be four (4) years or until a successor is duly appointed, except that the term of those first appointed shall expire at the end of one, two, three, and four years, respectively, as designated by the Governor at the time of appointment. The term of each member representative of public health and appointed by the Governor shall be four (4) years or until a successor is duly appointed, except that the term of those first appointed shall expire at the end of one, two and three years, respectively, as designated by the Governor at the time of appointment. The representative of public health not appointed by the Governor, namely the State Health Officer, shall hold office as a member of such Commission so long as he holds office as State Health Officer and until the appointment and qualification of his successor as State Health Officer. The term of each member representative of industry or business shall be four (4) years or until a successor is duly appointed, except that the term of those first appointed shall expire at the end of one, two, three and four years, respectively, as designated by the Governor at the time of appointment. There shall be no limitation on the number of terms any appointed member may serve. If a vacancy occurs in the appointed membership, and upon certification thereof by the Commission, the Governor shall appoint a person to fill the vacancy for the unexpired term of said member in accordance with the procedure as set forth in subsection (a) of this section.

(c) Within thirty (30) days after the effective date of this Act, the State Health Officer shall notify in writing the organizations named in subsection (a) of this section of the passage of this Act and request submission of the panel of names in writing to the Governor as above prescribed, and thereafter shall give such written notice to the organizations named above upon any vacancy, by expiration of term or otherwise, in the office of any member named from such panel. Upon failure of any said organization or organizations to furnish the panel of names to the Governor as herein provided within sixty days of such notice, the Governor himself shall make any such appointment or appointments as may be necessary to fill the office or offices. Upon failure of the Governor, within thirty (30) days of submission of any panel to him to appoint from the panel of names so submitted, the first person named on the panel shall become the Commission member.

(d) The State Health Officer shall serve as Chairman of the Commission. Following the selection of the Commission the Chairman shall promptly call an organizational meeting. At this meeting the Commission shall elect from its membership a Vice Chairman.

(e) No salary or compensation shall be paid any member of the Commission for services thereon, but this provision shall not be construed to affect in any way the regular compensation of members who are also governmental employees, their services on the Commission being considered a part of their official duties. Actual and necessary travel, subsistence and other expenses, incurred by members in the discharge of their duties as members of the Commission and as directed or requested by the Commission, shall be paid as provided by law from funds which are or may become available for the purpose of this Act.

(f) The Commission shall meet regularly in February and August of each year, at times and places to be fixed by the Commission. Special meetings may be called at the discretion and upon call of the Chairman and special meetings shall be called by him upon written request

of any five members to take up any matters within the jurisdiction of the Commission. All members shall be notified of the time and place of any regular or special meeting at least ten days in advance of any such meeting; provided, however, that in an emergency situation as determined by the Chairman, the ten day notice requirement for a special meeting may be waived in writing by all members.

(g) Seven voting members of the Commission shall constitute a quorum for the transaction of Commission business in both regular and special meetings. No member may designate by proxy or otherwise an alternate representative to attend any meeting of the Commission. The Executive Director, or his representative, shall attend all meetings but shall have no voting power.

(h) The Commission shall keep a complete and accurate record of the proceedings of all its meetings, a copy of which shall be kept on file in the office of the Executive Director and open to public inspection.

(i) The State Health Department shall act as the administrative agency. In addition, the Commission may employ and compensate, within appropriations available therefor, consultants and such assistants and employees as may be necessary to carry out the provisions of this Act and may prescribe their powers and duties.

Section 5. Powers and Duties of Commission. Consistent with the provisions of this Act, the Commission shall have power to:

(a) Adopt, promulgate, enforce and repeal rules and regulations relating to the control of air pollution consistent with the general intent and purposes of this Act and in accordance with the provisions of Section 7 hereof.

(b) To develop such facts and make such investigations as are consistent with the provisions of this Act, and, in connection therewith, to enter or to have the Executive Director or other authorized personnel of the Commission enter at all reasonable times in or upon any private or public property, except private residences or dwellings, for the purpose of inspection and investigation of any condition which the Commission shall have reasonable cause to believe to be a source of air pollution in violation of this Act or of any rules and regulations promulgated by the Commission. The results of any such inspection and investigation shall be reduced to writing and a copy shall be furnished to the owner or operator of said property; provided, however, that any information relating to production figures or to processes or production unique to the owner or operator or which tend to affect adversely the competitive position of such owner or operator, shall be only for the confidential use of the Commission in the administration of this Act, unless such owner or operator shall expressly agree to its publication or availability to the general public or unless the disclosure of such information is required for the prosecution of a violation of this Act or regulations promulgated thereunder. Nothing herein shall be construed to prevent the use of such information by the Commission in compiling or publishing analyses or summaries relating to the general condition of the outdoor atmosphere; provided that such analyses or summaries do not expressly or by their nature identify any owner or operator or reveal any information otherwise confidential under this section.

(c) Secure necessary scientific and technical services, including buildings and laboratory facilities, within appropriations available therefor.

(d) Prepare and develop a comprehensive plan or plans for the prevention, abatement and control of air pollution in this State.

(e) Encourage voluntary cooperation by persons and affected groups to achieve the purposes of this Act.

(f) Designate, in its discretion, one or more county health departments to assist the Commission in an area of the State by performing under the control of the Commission administrative, technical, scientific, enforcement and other services in connection with the administration and enforcement of air quality criteria or standards effective within such area of the state.

(g) Encourage and conduct studies, investigations and research relating to air contamination and air pollution and their causes, effects, prevention, abatement and control.

(h) Determine, by means of field studies and sampling, the degree of air pollution in the State and the several parts thereof.

(i) Collect and disseminate information and conduct educational and training programs relating to air pollution.

(j) Advise, consult, contract and cooperate with other agencies of the State, local governments, industries, other states, interstate or interlocal agencies, and the Federal Government, and with interested persons or groups.

(k) Cooperate with and receive money or property from the Federal Government or any other source, public or private, for the purpose of research, study or control, and the Commission is designated and shall serve as the official State air pollution control agency for such purposes.

(l) In order to make available to the Commission the services of an advisory body on such technical matters as the current state of technological progress and scientific research and development in the field of air pollution control, and the translating or equating of scientific and technological knowledge and development into engineering capability that can be applied in the consideration of reasonable and appropriate air pollution control measures, the Commission shall select a Technical Advisory Committee of not less than five (5) members to be composed of persons in the technical or scientific fields to be drawn from the technical or scientific talent within the State of Alabama. The term of each member of the Technical Advisory Committee shall be four (4) years or until a successor is selected, and there shall be no limitation of the number of terms any member may serve. Should any vacancy occur in the membership of the committee, the Commission shall appoint a properly qualified person to fill such vacancy. The Technical Advisory Committee members shall serve without pay. The functions of the Technical Advisory Committee shall be solely of an advisory nature to the Commission. Actual and necessary travel, subsistence and other expenses incurred by members in the discharge of their duties as member of the the Technical Advisory Committee and as directed or requested by the Commission, shall be paid as provided by law from funds which are or may become available for the purpose of this Act.

(m) All actions of the Commission shall be by majority vote of those present except as otherwise specified in Sections 7 and 8.

Section. 6. Powers and Duties of Executive Director. The Executive Director of the Commission shall have the following powers and duties:

(a) The Executive Director, or his authorized representative, shall attend all meetings of the Commission, but shall not be entitled to a vote.

(b) The Executive Director, or his authorized representative, during the interim between meetings of the Commission, shall handle such correspondence, and obtain, assemble or prepare such reports and data as the Commission may direct or authorize and shall make inspections and investigations into all situations wherein an air pollution problem may exist.

(c) The Executive Director shall be responsible for making recommendations to the Commission for the issuance of formal complaints by the Commission and for the presentation of such complaints before the Commission, and shall have such other duties as the Commission may prescribe.

(d) The Executive Director shall be the enforcement officer of the rules, regulations, orders and directives of the Commission.

(e) Administrative, technical, scientific and other services shall be performed under the direction of the Executive Director and the Executive Director shall exercise supervision over the employees of the Commission.

(f) Each County Health Officer shall report to the State Health Officer each complaint received regarding pollution of the air in said county.

Section 7. Procedure for Adopting Rules and Regulations. (a) Any rule or regulation, or any amendment or repeal thereof, establishing air quality criteria or standards or prescribing control of air pollution in any area of the State of Alabama shall not be adopted and promulgated until after a public hearing establishing by competent evidence the need for same, to accomplish the general intent and purpose of this Act, as stated in Section 2. Notice of the time, place and purpose of such hearing shall be given by four consecutive weekly insertions of such notice in a newspaper of general circulation in each county wherein any person affected by any such proposed rule or regulation resides or wherein any property affected by any such proposed rule or regulation may be located. In its discretion the Commission may appoint a hearing officer to conduct such hearing and the Commission need not be present at such hearing. The Commission shall adopt rules and regulations establishing air quality criteria or standards and prescribing the degree of control of air pollution.

(b) At such hearing, reasonable opportunity to be heard by the Commission with respect to the subject thereof shall be given to any person or his representative or counsel. A stenographic record of the hearing shall be made. Persons attending such hearing shall be given written notice of any proposed action to be taken by the Commission following the hearing, with an opportunity to submit in writing any comments thereon within a prescribed and reasonable time. Before any rule or regulation is adopted, amended or repealed, it shall be approved in writing, within a period of fifteen days, by a majority of all voting members of the Commission.

(c) A rule or regulation, or any amendment or repeal thereof, concerning air quality criteria or standards or the control of air pollution which may be adopted by the Commission may differ in its terms and provisions between particular conditions, particular air contamination sources, and particular areas of the State, and where necessary or desirable to accomplish the general intent and purpose of this Act, as stated in Section 2, shall so differ. In exercising its powers and responsibilities under this Act, and in adopting any rule or regulation, or any amendment or repeal thereof, concerning air quality criteria or standards for control of air pollution, the Commission shall take into consideration all facts and circumstances bearing upon the control of air pollution, but not limited to:

(1) The health and safety of the citizens of the State;

(2) The quantity and characteristics of air contaminants and the duration of their presence in the atmosphere which may cause air pollution in the particular area of the State;

(3) The character and degree of injury to, or effect upon, human health and physical property by particular air contaminants;

(4) Existing physical conditions and topography;

(5) Prevailing wind directions and velocities;

(6) Temperatures and temperature inversion periods, humidity and other atmospheric conditions;

(7) Known chemical reactions between air contaminants or between such air contaminants and air gases, moisture, or sunlight;

(8) The predominant character of the area of the State, such as residential, industrial, commercial, agricultural, or other characteristics;

(9) Availability of air-cleaning devices;

(10) Economic feasibility of air-cleaning devices;

(11) Effect on efficiency of industrial or business operation resulting from the use of air-cleaning devices;

(12) The volume of air contaminants emitted from a particular class of air-contamination source;

(13) The economic and industrial development of the State and the social and economic value of the air contamination source;

(14) The maintenance of public enjoyment of the State's natural resources; and

(15) Other factors which the Commission may deem applicable.

(d) The validity of any rule or regulation promulgated by the Commission may be determined at the instance of any person who is being called on to comply with any such rules or regulations, whether or not such person appeared before the Commission at the hearing in which the rule or regulation was adopted, (i) at any hearing held pursuant to Section 8(d), (ii) at any trial held pursuant to Section 8(e) or Section 7(d) (iii), and (iii) upon the institution of review proceedings in the Circuit Court of the judicial circuit in which the person has his principal place of business in Alabama, or in the judicial circuit where the property affected by the rule or regulation is located, when the rule or regulation or its threatened application interferes with or impairs, or threatens to interfere with or impair, the rights or privileges of the person. The Commission shall be made a party to the court proceedings, and service shall be made upon the Executive Director of the Commission, whose domicile for the purpose of service shall be deemed to be the office of the Commission. The cause shall be tried de novo as an original hearing on the equity side of said circuit court and shall be a preference case on the docket thereof. The Court shall have jurisdiction to determine the reasonableness and lawfulness of such rule or regulation of the Commission, and, in determining the reasonableness and lawfulness of such rule or regulations, the Court shall hear testimony and receive evidence relating to pertinent factors and conditions as prescribed under the provisions of Section 7(c) of this Act. The person challenging the validity of the rule or regulations shall have the burden of proof to establish the invalidity of such rule or regulations. Upon a finding by the Court that such rule or regulation is not

reasonable or lawful, the cause shall be remanded to the Commission for further proceedings in accordance with the provisions of this Act. The parties shall have all rights of exception and appeal as in other equity cases.

Section 8. Enforcement of Rules and Regulations. (a) It shall be the duty of the Commission to issue orders directing particular persons responsible for the discharge of any air contaminants contrary to the rules and regulations of the Commission to conform to such rules and regulations in the manner specified in this Section 8.

(b) Every person who subsequent to the effective date of any rules or regulations adopted by the Commission, begins the operation of any new air contaminant source or substantially modifies any existing air contaminant source shall operate the same in such a manner as to not violate such rules and regulations.

(c) If the Commission determines that any person on or after the effective date of any rules or regulations adopted by the Commission is operating an air contaminant source in violation of such rules or regulations, the Commission may require such person to apply to the Commission in writing for approval to continue such operation. The applicant shall be granted such approval upon his representation that a study looking toward bringing such operation in compliance with such rules and regulations is underway. The applicant may be allowed a reasonable time in which to develop and submit a plan to the Commission. When the applicant submits such a plan and states to the Commission that it expects the plan to bring such operation, by progressive steps, into compliance with such rules and regulations no later seven (7) years from the date of issuance of a permit, the Commission shall issue a permit to said applicant subject to compliance with such rules and regulations no later than expiration of said seven (7) year period.

(d) Whenever the Commission determines that any person has not made any application for approval or has not submitted a plan as required by Subsection (c) of this Section 8, or is operating a new air contaminant source or substantially modified existing air contaminant source contrary to the requirements of Subsection (b) of this Section 8, and is therefore in violation of such rules and regulations, the Commission shall, by private conference, conciliation and persuasion, endeavor to the fullest extent possible to remedy such violation. In case of the failure of such conference, conciliation and persuasion to correct or remedy and claimed violation, the Commission may cause to have issued and served upon the person alleged to be committing such violation a written notice which shall specify the provision of this Act or the rule or regulation hereunder which such person allegedly is violating, and a statement of the facts alleged to constitute the violation, and the manner in, and the extent to which said person is alleged to violate this Act or such rule or regulation, and may include an order that necessary corrective action be taken within a reasonable time. Any such order shall become final unless, no later than (20) days after the date the notice and order are served, the person or persons named therein request in writing a hearing before the Commission, which request shall act as a stay of such order. Upon such request, the Commission shall hold a hearing. In lieu of an order, the Commission may requrie that the alleged violator or violators appear before the Commission for a hearing at a time and place specified in the notice and answer the charges complained of. The Commission shall issue subpoenas at the instance of the Commission and shall also issue subpoenas at the request of the charged person, requiring the attendance of witnesses and the production of such papers and documents as are relevant to such hearing. The charged person may appear in person or by representative or counsel at such hearing, testimony shall be taken under oath

and recorded stenographically at such hearing, and the charged person may cross-examine witnesses at such hearing. A copy of the record of such hearing shall be furnished to the charged person upon payment of the cost of such copy. If, after a hearing held pursuant to this subsection (d) the Commission finds that a violation or violations have occurred, it shall affirm or modify the order previously issued, or issue an appropriate order or orders for the prevention, abatement or control of the emissions involved or for the taking of such other corrective action as may be appropriate to effectuate the purposes of this Act. If after hearing on an order contained in a notice the Commission finds that no violation is occurring, it shall rescind the order. Any order issued as a part of a notice or after hearing may prescribe the date or dates by which the violation or violations shall cease and may prescribe timetables for necessary action in preventing, abating or controlling the emissions. If such order of the Commission is not complied with in the required time, the Commission may then commence enforcement proceedings under Section 10 of this Act, or may order such action as is indicated by the circumstances and within the intent of this Act to cause the control of such condition.

(e) Any person subjected to any order of the Commission may institute proceedings to have the order reviewed in the Circuit Court of the judicial circuit in which the person has his principal place of business in Alabama, or of the judicial circuit where the property affected by the order is located, provided that such proceeding is filed in said court within thirty (30) days following the date of such order. The Commission shall be made a party to the court proceeding, and service shall be made upon the Executive Director of the Commission, whose domicile for the purpose of service shall be deemed to be the office of the Commission. The filing of such court proceeding shall stay the enforcement of such order. The cause shall be tried de novo as an original hearing on the equity side of said circuit court and shall be a preference case of the docket thereof. The Court shall have jurisdiction to determine the reasonableness and lawfulness of the Commission's order and of any rule or regulation of the Commission on which said order is based, and, in determining the reasonableness and lawfulness of any such rule or regulation, the Court shall hear testimony and receive evidence relating to pertinent factors and conditions as prescribed under the provisions of Section 7(c) of this Act. Upon a finding by the Court that the order or the rule or regulation on which the order is based is not reasonable or lawful, the cause shall be remanded to the Commission for further proceedings in accordance with the provisions of this Act. The parties shall have all rights of exception and appeal as in other equity cases.

(f) Whenever the Commission, after investigation, is of the opinion that any person is discharging or causing to be discharged into the atmosphere any air contaminant and the consensus of medical and toxicological opinion is, and the Commission so certifies, that such discharge constitutes serious and immediate danger to the health of the people and that it therefore appears to be prejudicial to the interests of the people of the State to delay action, the Commission shall notify the person by written notice that he must immediately reduce the discharge of such contaminants to the atmosphere to such limits as specified by the Commission, whereupon such person shall immediately comply with such order. As promptly as possible thereafter, not to exceed fifteen days, the Commission shall provide the person the opportunity to be heard in person or by representative or counsel and to present any testimony or evidence that such discharge does not constitute a danger to the health of the people. Following such hearing, the Commission shall enter such order as it deems proper, which order shall be subject to court review as provided in Subsection (e) of Section 8.

(g) Any determination, recommendation or order by the Commission under this Section 8 shall be approved in writing by a majority of all voting members of the Commission.

Section 9. Variances. (a) The Commission may grant individual variances beyond the limitations prescribed in this Act whenever it is found that compliance with any provision of this Act, or any rule or regulation, final or determination of the Commission, will result in an arbitrary or unreasonable taking of property, or is inappropriate because of conditions beyond the control of the person involved, or because of special circumstances would be impractical, or would be inconsistent with the general intent and purpose of this Act as stated in Section 2.

(b) In determining under what conditions and to what extent a variance from this Act or rule or regulation hereunder may be granted, the Commission shall give due recognition to the progress which the person requesting such variance shall have made in controlling the source of air pollution, and shall weigh the equities involved and the relative advantages and disadvantages to the public and to the occupation or activity affected. The Commission, in conformity with the intent and purpose of this Act, may prescribe requirements with which the person who receives such variance shall comply. The Commission may grant such variance conditioned upon such person effecting a partial abatement or control over a period of time which it shall consider reasonable under the circumstances. Any variance so conditioned shall provide that the person who received it shall make such periodic reports to the Commission as the Commission may specify as to the progress toward compliance with any rule or regulation as to which a variance has been granted. No variance shall be granted for more than one year, but such variance may be extended by affirmative action of the Commission.

(c) Any person seeking a variance shall do so by filling a written petition for variance with the Executive Director. The Executive Director shall promptly investigate such petition and make a recommendation to the Commission as to the disposition thereof. If the Commission, in its discretion, concludes that a hearing would be advisable, then a public hearing shall be held upon not less than ten (10) days prior notice under procedure similar to that provided for a hearing of a complaint of the Commission for alleged violation of any rule or regulation promulgated by the Commission, except that the burden of proof shall be upon the petitioner.

Section 10. Enforcement Proceedings by Commission. Should the Commission determine that any final order or determination made by it, not then the subject of judicial review, is being violated by any person, or should the Commission determine that any rule or regulation adopted or promulgated by the Commission is being violated by any person who shall not have taken the preventative or corrective measures as required by the Commission within the time fixed by the Commission in accordance with this Act, and the same is not then the subject of judicial review, then, and in either of said events, the Commission may cause to have instituted a civil action in any court of competent jurisdiction for injunctive or other appropriate relief to prevent any further or continued violation of such final order or determination or of such rule or regulation. Upon complaint made by the Commission in a court of competent jurisdiction that any such violation was willful on the part of the person so charged and should the person be found guilty as charged, the person shall be deemed guilty of a violation of the provisions of this Act which shall be punishable by a fine of not less than one hundred dollars nor more than ten thousand dollars. It shall be the duty of the Commission to investigate

and determine if liability hereunder shall not apply with respect to any unintended violation caused by an act of God, war, strike, riot, other catastrophe, accidental breakdown of equipment, if promptly repaired, or any other cause beyond the reasonable control of the person. It shall be the duty of the of the Attorney General of the State, or of the District Attorney of the Judicial Circuit under his direction, to bring such actions at the request of the Commission in the name of the people of the State of Alabama.

Section 11. Nothing in this Act shall be construed as granting to the Commission any jurisdiction or authority to make any rule, recommendation or determination or to enter any order with respect to air quality standards existing solely within the property boundaries of any plant, works, business or shop, or with respect to or affecting the relations between employers and employees.

Section 12. Nothing in this Act shall be construed as amending or repealing any law or statute of the State concerning the control of radiation.

Section 13. Individual Rights Not Extended. Persons other than the State or the Commission shall not acquire any actionable right by virtue of this Act. The basis for proceedings or other actions under this Act that result from violations of any order, rule or regulation promulgated by the Commission shall inure solely to and shall be for the benefit of the people of the State generally, and it is not intended in any way to create new rights or to enlarge existing rights.

Section 14. Pre-emption. It is the intention of this Act to occupy by pre-emption the field of air pollution control within all areas of the State of Alabama, except that this Act shall not repeal any municipal ordinances in effect on or before July 1, 1969, which pertain to air pollution control. Rules and regulations of the Commission prescribing air quality criteria or standards consistent with the general intent and purposes of this Act may be made effective territorially throughout the State, or may be made effective within any town, city, county or other geographical area of the State as may be designated by the Commission. The Commission shall have the authority to enter into contracts with any person, as that term is defined in this Act, to perform any function or service authorized by this Act.

Section 15. Severability. The provisions of this Act are severable and if any part, section, subsection, clause, paragraph or phrase of this Act shall be adjudged to be invalid or unconstitutional by any court of competent jurisdiction, the judgment shall not affect, impair or invalidate the remainder of this Act, but shall be confined in its operation to the part, section, subsection, clause, paragraph or phrase of this Act that shall be directly involved in the controversy in which such judgment shall have been rendered.

Section 16. Appropriations. There is hereby appropriated to the Air Pollution Control Commission out of the general fund in the state treasury not otherwise appropriated the sum of $100,000 for the fiscal year beginning October 1, 1969, and ending September 30, 1970, and the sum of $100,000 for the fiscal year beginning October 1, 1970, and ending September 30, 1971; and for the fiscal year beginning October 1, 1970 and ending September 30, 1971, there is also appropriated conditionally the further sum of $50,000, which shall be contingent on the condition of the state treasury and the approval of the Governor. All such appropriations shall be used for carrying out the purposes of this Act. There is hereby appropriated to said Agency all funds appropriated or made available to said Agency by the Congress or the Federal Government for the purpose of carrying out this Act.

Section 17. Repealer. All laws or parts of laws in conflict with this Act are hereby repealed.

Section 18. Effective Date. This Act shall become effective upon its passage and approval by the Governor or its otherwise becoming a law.

MOTION TO TABLE LOST

The motion of Mr. Pennington to table the substitute to the bill, H. 832, offered by Mr. McElhaney, was lost.

Yeas 44; Nays 47.

Yeas:

Mr. Speaker	Drake	Lemley	Perloff
Bank	Edington	Malone	Robertson
Beck	Ellis	Mathews	Shumate
Berryman (W)	Fine	McLain	Starnes
Brannan	Garrett	Meade	Stubbs
Brown	Grainger	Meeks	Turnham
Burgess	Grayson	Nettles	Weeks
Burgreen	Haygood	Owen (Baldwin)	Williams
Collier	Holladay	Paulk	Wood
Culver	Jones	Pearson	Wright
Dobbs	Laxson	Pennington	Young

—44

Nays:

Messrs.:	Crawford	Jackson (T)	Owens (W)
Adwell	Dill	Kilgore	Pruitt
Agee	Doss	Lyons	Sessions
Bassett	Downing	Manley	Slate
Bowers	Gafford	Marr	Smith
Brassell	Gloor	McCorquodale	Snell
Cameron	Hardin	McDonald	Steagall
Cherner	Harris	McElhaney	Stembridge
Collins (C)	Higginbotham	Melton	Tuck
Collins (W)	Hobbie	Merrill	Waggoner
Cook (Coffee)	Holman	Money	Watkins
Cook (Jefferson)	House	Neville	Yeilding

—47

MOTION TO ADJOURN LOST

The motion of Mr. Drake that the House adjourn until two o'clock P. M. Tuesday, August 26, 1969, was lost.

Yeas 16; Nays 74.

Yeas:

Mr. Speaker	Drake	Merrill	Shumate
Beck	Hain	Neville	Slate
Burgreen	Manley	Paulk	Snell
Doss	Mathews	Pruitt	Wood

—16

Nays:

Messrs.:	Bank	Bowers	Burgess
Adwell	Bassett	Brassell	Cameron
Agee	Berryman (W)	Brown	Cherner

Collier	Gloor	Marr	Sessions
Collins (C)	Graham	Mays	Smith
Collins (W)	Grainger	McCorquodale	Springer
Cook (Coffee)	Grayson	McDonald	Starnes
Cook (Jefferson)	Hardin	McElhaney	Steagall
Crane	Harris	McLain	Stembridge
Crawford	Headley	Meeks	Stubbs
Culver	Higginbotham	Melton	Tuck
Dill	Hobbie	Money	Turnham
Dobbs	Holman	Nettles	Waggoner
Downing	House	Owen (Baldwin)	Watkins
Edington	Jackson (T)	Owens (W)	Williams
Ellis	Jones	Pearson	Wright
Fine	Kilgore	Pennington	Yeilding
Gafford	Lemley	Perloff	Young
Garrett	Malone	Robertson	—74

H. 832 RESUMED

The question, then, was on the substitute offered by Mr. McElhaney to the bill, H. 832, and the substitute was adopted.

Yeas 65; Nays 27.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Paulk
Adwell	Downing	Kilgore	Perloff
Agee	Drake	Lyons	Pruitt
Bassett	Edington	Malone	Sessions
Blanton	Ellis	Manley	Smith
Bowers	Gafford	Marr	Snell
Brannan	Gloor	McCorquodale	Springer
Brassell	Grayson	McDonald	Starnes
Cameron	Hain	McElhaney	Steagall
Cherner	Hardin	Meeks	Stembridge
Collins (C)	Harris	Melton	Tuck
Collins (W)	Headley	Merrill	Turnham
Cook (Coffee)	Higginbotham	Money	Waggoner
Cook (Jefferson)	Hobbie	Nettles	Watkins
Crane	Holman	Neville	Wright
Crawford	House	Owens (W)	Yeilding
Dobbs			—65

Nays:

Messrs.:	Collier	Jones	Robertson
Bank	Culver	Laxson	Shumate
Beck	Dill	Mathews	Slate
Berryman (W)	Fine	McLain	Stubbs
Brown	Garrett	Meade	Weeks
Burgess	Grainger	Pearson	Wood
Burgreen	Haygood	Pennington	Young
			—27

Mr. Pennington offered the following amendment to the bill, H. 832, as amended:

THAT SECTION 4 of B. IS HEREBY AMENDED TO READ AS FOLLOWS:

Section 4. COMPOSITION OF COMMISSION AND TERMS OF OFFICE

There is hereby created within the State of Alabama a Commission to be known as the Alabama Air Pollution Control Commission. The State Department of Public Health shall act as the administrative agency for this Commission. The terms of all appointed members, after the initial terms, shall be six years. The Alabama Air Pollution Control Commission shall be composed of four ex-officio members, plus twelve additional members appointed by the Governor, having qualifications and serving initial terms as follows:

A. The Health Officer of the State of Alabama shall serve as a member of the commission during his term of office and shall act as Chairman of the commission.

B. The Director of the Department of Conservation of the State of Alabama shall serve as a member of the Commission during his term of office and shall act a Vice Chairman of the Commission.

C. The Director of the State Planning and Industrial Development Board of the State of Alabama shall serve as a member of the Commission during his term of office.

D. The State Toxicologist of the State of Alabama shall serve as a member of the Commission during his term of office.

E. One physician, privately engaged in the practice of medicine, and specializing in the treatment of diseases of the chest to be appointed by the Governor, and whose term of office shall expire on September 1, 1971.

F. One registered, professional engineer in the State of Alabama, engaged in the private practice of engineering as a consultant engineer, to be appointed by the Governor, and whose term of office shall end September 1, 1971.

G. One licensed, practicing attorney, engaged in the practice of law in the State of Alabama, who has, for at least five years immediately preceding his appointment generally represented one or more cities, towns, counties, or other political subdivisions within the State of Alabama, to be appointed by the Governor, and whose term of office shall expire on September 1, 1971.

H. One physician, engaged in the practice of industrial medicine within the State of Alabama, appointed by the Governor, and whose term of office shall expire on September 1, 1971.

I. One person from each of the areas now composing, or which may hereafter compose, the 1st, 5th, 3rd, and 7th Congressional Districts, appointed by the Governor, and whose terms of office shall expire on September 1, 1973.

J. One person from each of the areas now composing, or which may hereafter compose, the 2nd, 6th, 4th and 8th Congressional Districts, appointed by the Governor, and whose terms of office shall expire on September 1, 1975.

On motion of Mr. McElhaney, the amendment offered by Mr. Pennington to the bill, H. 832, was tabled.

Yeas 50; Nays 42.

Yeas:

Messrs.:	Dill	Holman	Owens (W)	
Adwell	Dobbs	House	Pruitt	
Agee	Doss	Jackson (T)	Sessions	
Bassett	Downing	Kilgore	Slate	
Blanton	Gafford	Manley	Smith	
Bowers	Gloor	Marr	Snell	
Brassell	Graham	McCorquodale	Springer	
Cameron	Hain	McDonald	Stembridge	
Cherner	Hardin	McElhaney	Tuck	
Collins (W)	Harris	Melton	Waggoner	
Cook (Coffee)	Headley	Merrill	Watkins	
Cook (Jefferson)	Higginbotham	Money	Yeilding	
Crane	Hobbie	Neville		—50

Nays:

Mr. Speaker	Ellis	McLain	Shumate	
Bank	Fine	Meade	Starnes	
Beck	Grainger	Meeks	Steagall	
Berryman (W)	Grayson	Nettles	Stubbs	
Brown	Haygood	Owen (Baldwin)	Turnham	
Burgreen	Hill	Paulk	Weeks	
Collier	Jones	Pearson	Williams	
Crawford	Laxson	Pennington	Wood	
Culver	Lemley	Perloff	Wright	
Drake	Lyons	Robertson	Young	
Edington	Mathews			—42

MOTION TO ADJOURN LOST

The motion of Mr. Turnham that the House adjourn until two o'clock P. M. Tuesday, August 26, 1969, was lost.

Yeas 18; Nays 66.

Yeas:

Mr. Speaker	Graham	Paulk	Snell	
Blanton	Hain	Perloff	Steagall	
Brassell	Manley	Shumate	Turnham	
Burgreen	Mathews	Slate	Wood	
Drake	Merrill			—18

Nays:

Messrs.:	Dill	Holman	Owens (W)	
Adwell	Dobbs	House	Pearson	
Agee	Doss	Jackson (T)	Pennington	
Bank	Downing	Jones	Robertson	
Bassett	Edington	Kilgore	Sessions	
Berryman (W)	Ellis	Lemley	Smith	
Bowers	Gafford	Marr	Springer	
Brown	Gloor	Mays	Stembridge	
Cameron	Grainger	McCorquodale	Stubbs	
Cherner	Grayson	McDonald	Tuck	
Collier	Hardin	McElhaney	Waggoner	
Collins (W)	Harris	McLain	Weeks	
Cook (Coffee)	Haygood	Meeks	Williams	
Cook (Jefferson)	Headley	Melton	Wright	
Crane	Higginbotham	Money	Yeilding	
Crawford	Hill	Nettles	Young	
Culver	Hobbie	Owen (Baldwin)		—66

H. 832 RESUMED

And the bill, H. 832, as amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 75; Nays 14.

Yeas:

Mr. Speaker	Dobbs	House	Perloff	
Adwell	Doss	Jackson (T)	Pruitt	
Agee	Downing	Jones	Sessions	
Bassett	Drake	Lyons	Slate	
Beck	Edington	Manley	Smith	
Blanton	Ellis	Marr	Snell	
Bowers	Gafford	McCorquodale	Springer	
Brannan	Gloor	McDonald	Starnes	
Brassell	Graham	McElhaney	Steagall	
Cameron	Grayson	Meade	Stembridge	
Cherner	Hain	Meeks	Stubbs	
Collier	Hardin	Melton	Tuck	
Collins (W)	Harris	Merrill	Turnham	
Cook (Coffee)	Haygood	Money	Waggoner	
Cook (Jefferson)	Headley	Nettles	Williams	
Crane	Higginbotham	Neville	Wright	
Crawford	Hill	Owen (Baldwin)	Yeilding	
Culver	Hobbie	Owens (W)	Young	
Dill	Holman	Paulk		—75

Nays:

Messrs.:	Grainger	Mathews	Robertson	
Bank	Kilgore	McLain	Weeks	
Burgreen	Laxson	Pearson	Wood	
Fine	Lemley	Pennington		—14

RESOLUTION

The following resolution was introduced:

By Mr. Adwell:

H. J. R. 150. WHEREAS Mrs. Ruth Lawson Hanson, wife of the late Mr. Victor Hanson, has been designated a recipient of an honorary doctor of humanities degree by the University of Alabama—Birmingham; and

WHEREAS Mrs. Hanson has been a dedicated leader in the field of diabetes research for more than two decades; and

WHEREAS Mrs. Hanson endowed the Ruth Lawson Hanson Chair of Medicine at the Medical College of Alabama for the study of diabetes; and

WHEREAS Mrs. Hanson has unselfishly devoted her time and efforts to such worthy activities as the Birmingham Lay Diabetes Society, the Diabetes Trust Fund and the Camp Seale Harris for diabetic children; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That this body holds Mrs. Hanson in the highest esteem for her untiring efforts in fighting diabetes and commends Dr. Joseph F. Volker, president-elect of the University of Alabama—Birmingham, for the

wisdom of selecting such an outstanding citizen to receive this honorary degree.

RESOLVED FURTHER, that copies of this resolution shall be sent to Mrs. Hanson and Dr. Volker.

On motion of Mr. Adwell, the rules were suspended and H. J. R. 150 was adopted.

UNANIMOUS CONSENT GRANTED

At the request of Mr. Pearson, unanimous consent was granted for him to be shown as voting Yea on the bill, H. 832.

And the bill:

S. 246. To create a Property Inventory Control Division in the office of the State Auditor; transferring to it the functions, jurisdiction, authority, personnel, property and effects vested in or required for that function in the Division of Service of the Finance Department; relieving the Director of the Finance Department of the responsibility of maintaining property records; and making an appropriation for carrying out the purposes of this act.

Was read a third time at length and passed.

Yeas 57; Nays 6.

Yeas:

Mr. Speaker	Dobbs	Holladay	Owens (W)
Bank	Doss	House	Pennington
Beck	Downing	Jones	Pruitt
Blanton	Ellis	Lemley	Robertson
Bowers	Fine	Manley	Sessions
Brannan	Gloor	Marr	Slate
Brassell	Graham	McCorquodale	Smith
Burgess	Grainger	McDonald	Snell
Burgreen	Grayson	McLain	Starnes
Cameron	Hain	Meade	Steagall
Collier	Haygood	Meeks	Tuck
Collins (W)	Headley	Melton	Weeks
Cook (Coffee)	Higginbotham	Merrill	Wright
Cook (Jefferson)	Hill	Neville	Young
Culver			—57

Nays:

Messrs.:	Gafford	Lyons	Perloff
Dill	Jackson (T)	Nettles	—6

RESOLUTION

The following resolution was introduced:

By Messrs. Bassett, Hardin, Fite, Adwell, Agee, Bank, Beck, Blanton, Bowers, Brannan, Brassell, Brown, Burgess, Burgreen, Cameron, Cherner, Collier, Collins (C), Collins (W), Cook (Coffee), Cook (Jefferson), Crane, Crawford, Culver, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Gafford, Garrett, Gloor, Graham, Grainger, Grayson, Hain, Harris, Haygood, Headley, Higginbotham, Hill, Hobbie, Holladay, Holman, House, Jackson (T), Jones, Kilgore, Laxson, Lemley, Lyons, Malone, Manley, Marr, Mathews, Mays, McCorquodale, McDonald, McElhaney, McLain, Meade, Meeks, Melton, Merrill, Money, Nettles, Neville, Owen (Baldwin), Owens (W),

Paulk, Pearson, Pennington, Perloff, Pruitt, Robertson, Sessions, Shumate, Slate, Smith, Snell, Springer, Starnes, Steagall, Stembridge, Stubbs, Tuck, Turnham, Waggoner, Watkins, Weeks, Williams, Wood, Wright, Yeilding, Young:

H. J. R. 151. WHEREAS, Mr. LaMont Glass passed away in Greenville, Alabama, on August 20, 1969, after a useful Christian life; and

WHEREAS, Mr. Glass served two terms, 1959 and 1963, in the House of Representatives of the Legislature of the State of Alabama, and was one of the most respected members of that body; and

WHEREAS, Mr. Glass, through his high personal integrity, meritorious services, and understanding heart, endeared himself to his colleagues and his entire community:

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING, That we express deepest regrets at the passing of Mr. LaMont Glass and extend sincerest sympathy to his widow and the surviving members of his family.

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to his widow, Mrs. LaMont Glass, and to his daughters, Floretta Glass Clark and Elaine Glass Clark and his grandchildren.

On motion of Mr. Bassett, the rules were suspended and H. J. R. 151 was adopted.

And the bill:

S. 93. Relating to suffrage and elections; authorizing and providing for registration of certain absentee electors by mail.

Was read a third time at length and passed.

Yeas 88; Nay 1.

Yeas:

Mr. Speaker	Culver	Jackson (T)	Paulk
Adwell	Dill	Jones	Pearson
Agee	Downing	Kilgore	Pennington
Bank	Drake	Lemley	Perloff
Bassett	Edington	Lyons	Pruitt
Beck	Ellis	Malone	Robertson
Berryman (W)	Fine	Manley	Sessions
Blanton	Garrett	Marr	Shumate
Bowers	Gloor	Mathews	Slate
Brannan	Graham	Mays	Smith
Brassell	Grainger	McCorquodale	Snell
Brown	Grayson	McDonald	Steagall
Burgess	Hardin	McLain	Stembridge
Burgreen	Harris	Meade	Stubbs
Cameron	Haygood	Meeks	Tuck
Cherner	Headley	Melton	Waggoner
Collier	Higginbotham	Merrill	Weeks
Collins (C)	Hill	Money	Williams
Collins (W)	Hobbie	Nettles	Wood
Cook (Coffee)	Holladay	Neville	Wright
Cook (Jefferson)	Holman	Owen (Baldwin)	Yeilding
Crawford	House	Owens (W)	Young

—88

Nay: Mr. Hain —1

And the bill:

S. 98. Proposing an amendment to the Constitution of Alabama providing for the registration of electors by mail.

Was read a third time at length and passed.

Yeas 90; Nay 1.

Yeas:

Mr. Speaker	Dill	Kilgore	Pearson
Adwell	Doss	Laxson	Pennington
Agee	Downing	Lemley	Perloff
Bank	Drake	Lyons	Pruitt
Bassett	Edington	Malone	Robertson
Beck	Ellis	Manley	Sessions
Berryman (W)	Fine	Marr	Shumate
Blanton	Garrett	Mathews	Slate
Bowers	Gloor	Mays	Smith
Brannan	Graham	McCorquodale	Snell
Brassell	Grainger	McDonald	Starnes
Brown	Grayson	McLain	Steagall
Burgess	Hardin	Meade	Stembridge
Burgreen	Harris	Meeks	Stubbs
Cameron	Haygood	Melton	Tuck
Cherner	Headley	Merrill	Waggoner
Collier	Higginbotham	Money	Weeks
Collins (C)	Hill	Nettles	Williams
Collins (W)	Hobbie	Neville	Wood
Cook (Coffee)	Holladay	Owen (Baldwin)	Wright
Cook (Jefferson)	Holman	Owens (W)	Yeilding
Crawford	House	Paulk	Young
Culver	Jones		—90

Nay: Mr. Hain —1

MOTION TO BRING UP H. 1188

On motion of Mr. Robertson, the rules were suspended and permission granted to bring up out of order the bill, H. 1188.

Yeas 63; Nays 11.

Yeas:

Mr. Speaker	Culver	Hill	Paulk
Adwell	Dill	Holladay	Pennington
Bank	Downing	Holman	Pruitt
Beck	Drake	House	Robertson
Berryman (W)	Ellis	Jackson (T)	Sessions
Blanton	Fine	Jones	Shumate
Bowers	Gafford	Kilgore	Smith
Brannan	Garrett	Lyons	Snell
Brassell	Gloor	Manley	Steagall
Brown	Graham	Marr	Waggoner
Burgreen	Grainger	McCorquodale	Watkins
Cameron	Grayson	McLain	Weeks
Cherner	Hain	Meade	Williams
Collins (W)	Harris	Melton	Wood
Cook (Coffee)	Haygood	Money	Yeilding
Cook (Jefferson)	Headley	Owens (W)	—63

Nays:

Messrs.:	Laxson	McDonald	Stembridge
Crawford	Lemley	Perloff	Tuck
Higginbotham	Malone	Slate	Young

—11

And the bill:

H. 1188 (with substitute). To make an appropriation from the state treasury for the construction, equipment and maintenance of an office building for the Department of Public Safety District No. 7 and for the rebuilding or remodeling of certain substations in said district.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Transportation, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To make appropriations from the state treasury for the construction, equipment and maintenance of office buildings for the Department of Public Safety and for the rebuilding or remodeling of certain substations in certain public safety districts.

Be It Enacted by the Legislature of Alabama:

Section 1. The following sums are hereby appropriated from any funds in the state treasury not otherwise appropriated to the use of the Department of Public Safety to be expended for the construction, equipment and furnishing or the remodeling or rebuilding of substations or district offices in the following Department of Public Safety Districts:

For District No. 7, for construction equipment and furnishing of a district office at Tuscaloosa and for remodeling or rebuilding the substations of such district at Hamilton and at Demopolis, $150,000,

For District No. 2, for construction equipment and furnishing or remodeling or rebuilding of a district office or substation at Birmingham, $150,000,

For District No. 47, for construction equipment and furnishing or for remodeling or rebuilding a district office or substation at Huntsville, $55,000.

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 79; Nays 2.

Yeas:

Mr. Speaker	Berryman (W)	Burgess	Cook (Coffee)
Adwell	Blanton	Burgreen	Cook (Jefferson)
Agee	Bowers	Cameron	Crawford
Bank	Brannan	Cherner	Culver
Bassett	Brassell	Collier	Dill
Beck	Brown	Collins (W)	Downing

Drake	Hobbie	Money	Smith
Ellis	Holman	Nettles	Snell
Fine	House	Neville	Steagall
Gafford	Jackson (T)	Owen (Baldwin)	Stembridge
Garrett	Jones	Owens (W)	Stubbs
Gloor	Kilgore	Paulk	Tuck
Graham	Laxson	Pearson	Waggoner
Grainger	Manley	Pennington	Watkins
Grayson	Marr	Perloff	Weeks
Hain	McCorquodale	Pruitt	Williams
Hardin	McLain	Robertson	Wood
Haygood	Meade	Sessions	Yeilding
Headley	Melton	Shumate	Young
Hill	Merrill	Slate	

—79

Nays: Messrs. Malone and Wright —2

And the bill, H. 1188, as thus amended:

To make appropriations from the state treasury for the construction, equipment and maintenance of office buildings for the Department of Public Safety and for the rebuilding or remodeling of certain substations in certain public safety districts.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 2.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Pearson
Adwell	Downing	Jones	Pennington
Agee	Drake	Kilgore	Perloff
Bank	Ellis	Laxson	Pruitt
Bassett	Fine	Lemley	Robertson
Beck	Gafford	Lyons	Sessions
Berryman (W)	Garrett	Manley	Shumate
Blanton	Gloor	Marr	Slate
Bowers	Graham	Mathews	Smith
Brannan	Grainger	McCorquodale	Snell
Brassell	Grayson	McDonald	Starnes
Brown	Hain	McLain	Steagall
Burgreen	Hardin	Meade	Stembridge
Cameron	Harris	Melton	Stubbs
Cherner	Haygood	Merrill	Tuck
Collier	Headley	Money	Watkins
Collins (W)	Higginbotham	Nettles	Weeks
Cook (Coffee)	Hill	Neville	Williams
Cook (Jefferson)	Hobbie	Owen (Baldwin)	Wood
Crawford	Holman	Owens (W)	Yeilding
Culver	House	Paulk	Young

—84

Nays: Messrs. Malone and Wright —2

And the bill:

S. 57. To repeal Section 30, Title 13, Code of Alabama 1940, which requires the justices of the Supreme Court to remain in Montgomery during terms of court.

Was read a third time at length and passed.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Drake	Kilgore	Pearson
Agee	Edington	Laxson	Perloff
Bank	Ellis	Lemley	Pruitt
Beck	Fine	Lyons	Robertson
Berryman (W)	Gafford	Malone	Sessions
Blanton	Garrett	Manley	Shumate
Bowers	Gloor	Marr	Slate
Brannan	Graham	Mathews	Smith
Brassell	Grainger	McCorquodale	Snell
Brown	Grayson	McDonald	Springer
Burgess	Hain	McElhaney	Starnes
Burgreen	Hardin	McLain	Steagall
Cameron	Haygood	Meade	Stembridge
Cherner	Headley	Melton	Stubbs
Collier	Higginbotham	Merrill	Tuck
Collins (W)	Hill	Money	Waggoner
Cook (Coffee)	Hobbie	Nettles	Watkins
Cook (Jefferson)	Holman	Neville	Weeks
Culver	House	Owen (Baldwin)	Williams
Dill	Jackson (T)	Owens (W)	Wright
Doss	Jones	Paulk	Yeilding
Downing			

—84

And the bill:

S. 58. To amend Section 29, Title 13, Code of Alabama 1940, as amended, relating to the salary of every justice of the supreme court.

Was read a third time at length and passed.

Yeas 76; Nay 1.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Pearson
Agee	Downing	Jones	Pennington
Bank	Drake	Kilgore	Perloff
Bassett	Ellis	Laxson	Pruitt
Beck	Fine	Lyons	Robertson
Blanton	Gafford	Malone	Slate
Bowers	Garrett	Manley	Smith
Brannan	Grainger	Marr	Snell
Brassell	Grayson	Mathews	Springer
Burgreen	Hain	McCorquodale	Starnes
Cameron	Hardin	McDonald	Steagall
Cherner	Harris	McLain	Stembridge
Collier	Haygood	Meade	Stubbs
Collins (W)	Headley	Melton	Tuck
Cook (Coffee)	Hill	Money	Waggoner
Cook (Jefferson)	Hobbie	Nettles	Weeks
Crawford	Holladay	Neville	Williams
Culver	Holman	Owens (W)	Wright
Dill	House	Paulk	Yeilding

—76

Nay: Mr. Watkins —1

MOTION TO ADJOURN LOST

The motion of Mr. Slate that the House adjourn until two o'clock P. M. Tuesday, August 26, 1969, was lost.

Yeas 13; Nays 65.

Yeas:

Messrs.:	Collins (W)	Perloff	Snell
Bank	Malone	Shumate	Springer
Berryman (W)	Marr	Slate	Wood
Burgreen	Mathews		

—13

Nays:

Mr. Speaker	Downing	Holman	Paulk
Adwell	Drake	House	Pearson
Agee	Ellis	Jackson (T)	Pennington
Bassett	Fine	Jones	Robertson
Beck	Gafford	Lemley	Sessions
Blanton	Garrett	Lyons	Smith
Bowers	Gloor	Mays	Starnes
Brassell	Graham	McCorquodale	Steagall
Cameron	Grainger	McLain	Stembridge
Cherner	Grayson	Meade	Stubbs
Collier	Hain	Melton	Tuck
Collins (C)	Hardin	Money	Waggoner
Cook (Coffee)	Haygood	Nettles	Weeks
Cook (Jefferson)	Headley	Neville	Williams
Crawford	Hill	Owen (Baldwin)	Yeilding
Culver	Hobbie	Owens (W)	Young
Dill			

—65

And the bill:

S. 59. To provide for a supreme court composed of a chief justice and eight associate justices; amending Code 1940, Title 13, Secs. 10, 11, 14, and 15, and Title 17, Sec. 71.

Was read a third time at length and passed.

Yeas 65; Nays 7.

Yeas:

Mr. Speaker	Drake	Jones	Perloff
Agee	Edington	Lyons	Pruitt
Bank	Ellis	Manley	Sessions
Bassett	Fine	Marr	Smith
Beck	Garrett	Mathews	Snell
Berryman (W)	Grainger	McCorquodale	Starnes
Blanton	Grayson	Meade	Steagall
Bowers	Hain	Melton	Stembridge
Brannan	Hardin	Money	Stubbs
Brassell	Haygood	Nettles	Tuck
Burgreen	Headley	Neville	Waggoner
Cameron	Hill	Owen (Baldwin)	Weeks
Collier	Holladay	Owens (W)	Williams
Collins (W)	Holman	Paulk	Wright
Cook (Coffee)	House	Pearson	Yeilding
Culver	Jackson (T)	Pennington	Young
Downing			

—65

Nays:

Messrs.:	Crawford	Gafford	Lemley
Cherner	Dill	Kilgore	Malone

—7

And the bill:

S. 60. To amend Sections 31, 32 and 33, Title 13, Code of Alabama 1940, as amended, relating to supernumerary justices of the supreme court so as to provide further conditions for mandatory and elective status and to prescribe the duties, powers and salaries of such justices.

Was read a third time at length and passed.

Yeas 59; Nays 17.

Yeas:

Mr. Speaker	Cook (Jefferson)	Jones	Pruitt	
Agee	Culver	Lyons	Robertson	
Bank	Downing	Manley	Sessions	
Bassett	Drake	Marr	Smith	
Beck	Edington	Mathews	Snell	
Berryman (W)	Ellis	Meade	Starnes	
Blanton	Fine	Melton	Steagall	
Brannan	Grainger	Nettles	Stembridge	
Brassell	Hain	Neville	Stubbs	
Brown	Hardin	Owen (Baldwin)	Tuck	
Burgreen	Haygood	Owens (W)	Weeks	
Cameron	Headley	Paulk	Williams	
Collier	Hill	Pearson	Wood	
Collins (W)	Holladay	Pennington	Wright	
Cook (Coffee)	House	Perloff		—59

Nays:

Messrs.:	Gafford	Lemley	Shumate	
Adwell	Garrett	Malone	Slate	
Cherner	Grayson	McCorquodale	Watkins	
Crawford	Jackson (T)	Money	Yeilding	
Dill	Kilgore			—17

And the bill:

S. 237 (with amendments). To create a Court of Criminal Appeals and a Court of Civil Appeals; to provide for the jurisdiction of each; to provide for appeals to said courts; to provide for the transfer of cases between the courts and between them and the Supreme Court; to provide for the reporting of the decisions, the terms of court, law clerks for each of the judges, the salaries of the judges, their place of residence, that the members of the Criminal Court of Appeals shall be the same members as the former Court of Appeals; providing for the appointment by the governor of the members of the Civil Court of Appeals to staggered terms, providing for supernumerary judges of said courts, for a clerk of said courts and his duties, and for other clerical assistance and for a review by certiorari of the decisions of said courts.

Was taken up.

The question was on the adoption of amendment #1 reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend Senate Bill 237 by adding the following at the end of Section 21 thereof:

All duties heretofore provided by law to be exercised by the presiding judge of the court of appeals shall in the future be performed by the presiding judge of the court of criminal appeals.

And the amendment was adopted.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Pruitt
Agee	Downing	Jones	Robertson
Bank	Drake	Lyons	Sessions
Bassett	Ellis	Manley	Slate
Beck	Fine	Marr	Smith
Berryman (W)	Garrett	Mathews	Snell
Blanton	Gloor	McCorquodale	Starnes
Brannan	Grainger	McLain	Steagall
Brassell	Grayson	Meade	Stembridge
Brown	Hain	Melton	Stubbs
Burgreen	Hardin	Money	Tuck
Cameron	Haygood	Nettles	Waggoner
Collier	Headley	Neville	Weeks
Collins (W)	Hill	Owen (Baldwin)	Williams
Cook (Coffee)	Hobbie	Owens (W)	Wood
Cook (Jefferson)	Holladay	Paulk	Wright
Crawford	Holman	Pearson	Yeilding
Culver	House	Perloff	

—71

The question, then, was on the adoption of amendment #2 reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend Section 27 of Senate Bill 237 to read as follows:

The clerk of the supreme court shall be the clerk of the court of civil appeals and is hereby authorized to appoint and employ such additional help as may be required by him to adequately operate the office of clerk of civil appeals. Each judge of the court of civil appeals is hereby authorized to appoint and employ a confidential secretary who shall serve at the pleasure of the judge and shall be subject to the merit system act only as to pay plan; and the salaries of all the employees of the courts of appeals shall be paid as the salaries of other state employees are paid.

And the amendment was adopted.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Culver	Jones	Pennington
Agee	Dill	Lyons	Perloff
Bank	Doss	Malone	Pruitt
Bassett	Downing	Manley	Robertson
Beck	Drake	Marr	Sessions
Berryman (W)	Ellis	Mathews	Smith
Blanton	Fine	McCorquodale	Snell
Bowers	Grainger	McElhaney	Starnes
Brannan	Grayson	McLain	Steagall
Brassell	Hain	Meade	Stembridge
Brown	Hardin	Melton	Stubbs
Burgreen	Haygood	Money	Tuck
Cameron	Headley	Nettles	Waggoner
Cherner	Hill	Neville	Weeks
Collier	Hobbie	Owen (Baldwin)	Williams
Collins (W)	Holman	Owens (W)	Wood
Cook (Coffee)	House	Paulk	Wright
Cook (Jefferson)	Jackson (T)	Pearson	Yeilding
Crawford			

—73

The question, then, was on the adoption of amendment #3 reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend Senate Bill 237 by adding the following at the end of Section 26 thereof:

The present employees of the court of appeals in the positions named in this section shall be such employees in the court of criminal appeals retaining their status and seniority established as employees in the court of appeals.

And the amendment was adopted.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Doss	Jones	Pearson
Agee	Downing	Lyons	Pennington
Bank	Drake	Malone	Perloff
Bassett	Edington	Manley	Pruitt
Beck	Ellis	Marr	Robertson
Blanton	Fine	Mathews	Sessions
Brannan	Gafford	McCorquodale	Slate
Brassell	Garrett	McElhaney	Smith
Cameron	Grainger	McLain	Snell
Cherner	Grayson	Meade	Starnes
Collier	Hain	Melton	Steagall
Collins (W)	Hardin	Money	Tuck
Cook (Coffee)	Hill	Nettles	Waggoner
Cook (Jefferson)	Holladay	Neville	Williams
Culver	Holman	Owen (Baldwin)	Wood
Dill	House	Owens (W)	Wright
Dobbs	Jackson (T)	Paulk	Yeilding

—68

Mr. Mathews offered the following amendment to the bill, S. 237, as amended:

Amend Senate Bill 237 by adding the folowing at the end of Section 26 thereof:

"The sums appropriated to the Court of Appeals for the current fiscal year and the appropriation for the Court of Appeals in HB 621, General Appropriations Bill, of the current session, are hereby transferred to the Court of Criminal Appeals and shall be expended by the Court of Criminal Appeals."

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Cherner	Edington	Hill
Adwell	Collier	Ellis	Holladay
Agee	Collins (W)	Fine	Holman
Bank	Cook (Coffee)	Gafford	House
Bassett	Cook (Jefferson)	Garrett	Jackson (T)
Beck	Culver	Grainger	Jones
Blanton	Dill	Grayson	Lyons
Brannan	Dobbs	Hain	Malone
Brassell	Doss	Hardin	Manley
Brown	Downing	Haygood	Marr
Cameron	Drake	Headley	Mathews

McCorquodale	Owen (Baldwin)	Sessions	Tuck
McLain	Owens (W)	Slate	Turnham
Meade	Paulk	Smith	Waggoner
Melton	Pearson	Snell	Williams
Merrill	Pennington	Springer	Wood
Money	Perloff	Starnes	Wright
Nettles	Pruitt	Steagall	Yeilding
Neville	Robertson		

—74

Mr. Merrill offered the following amendment to the bill, S. 237, as amended:

Amend SB 237 by striking therefrom the period at the end of the caption and adding the words as follows:

"and to make appropriations therefor."

Further amend SB 237 by adding at the end of Section 22 the following:

Section 22½. The following sums are hereby appropriated for the operation of the Court of Civil Appeals for the fiscal years as indicated:

	1969-70	1970-71
For salaries of the Three Judges	57,000.00	57,000.00
For other salaries	52,000.00	52,000.00
For other expenses	6,500.00	6,500.00
For equipment and book purchases	20,000.00	3,000.00
Total	$135,500.00	$118,500.00

And the amendment was adopted.

Yeas 68; Nays 4.

Yeas:

Mr. Speaker	Downing	Lyons	Perloff
Adwell	Drake	Malone	Pruitt
Agee	Edington	Manley	Robertson
Bank	Ellis	Marr	Sessions
Bassett	Fine	Mathews	Slate
Beck	Gafford	McCorquodale	Smith
Blanton	Grainger	McLain	Snell
Brannan	Grayson	Meade	Starnes
Brassell	Hain	Melton	Steagall
Burgess	Hardin	Merrill	Stembridge
Cameron	Haygood	Money	Tuck
Collier	Hill	Nettles	Turnham
Collins (W)	Holladay	Neville	Waggoner
Cook (Coffee)	Holman	Owen (Baldwin)	Weeks
Cook (Jefferson)	House	Owens (W)	Williams
Culver	Jackson (T)	Paulk	Wood
Dobbs	Jones	Pearson	Wright

—68

Nays:

Messrs.:	Dill	Garrett	Stubbs
Brown			

—4

And the bill, S. 237, as thus amended, was read a third time at length and passed.

Yeas 74; Nays 4.

Yeas:

Mr. Speaker	Doss	Jones	Pennington	
Adwell	Downing	Lyons	Perloff	
Agee	Drake	Malone	Pruitt	
Bank	Edington	Manley	Robertson	
Bassett	Ellis	Marr	Sessions	
Beck	Fine	Mathews	Slate	
Blanton	Gafford	McCorquodale	Smith	
Brannan	Garrett	McLain	Snell	
Brassell	Grainger	Meade	Springer	
Brown	Grayson	Melton	Starnes	
Burgess	Hain	Merrill	Steagall	
Burgreen	Hardin	Money	Tuck	
Cameron	Harris	Nettles	Turnham	
Collier	Haygood	Neville	Waggoner	
Collins (W)	Hill	Owen (Baldwin)	Weeks	
Cook (Coffee)	Holladay	Owens (W)	Williams	
Cook (Jefferson)	Holman	Paulk	Wright	
Culver	House	Pearson	Yeilding	
Dobbs	Jackson (T)			—74

Nays:

Messrs.:	Dill	Lemley	Stembridge	
Crawford				—4

MOTION TO BRING UP H. 356 LOST

The motion of Mrs. Collins (C), to suspend the rules and bring up out of order the bill, H. 356, was lost.

Yeas 61; Nays 21.

Yeas:

Messrs.:	Crawford	Headley	Perloff	
Adwell	Culver	Hill	Robertson	
Agee	Dill	Holladay	Sessions	
Bank	Dobbs	Holman	Slate	
Berryman (W)	Downing	Jones	Smith	
Blanton	Drake	Lyons	Springer	
Bowers	Edington	Marr	Starnes	
Brannan	Ellis	McCorquodale	Steagall	
Brassell	Garrett	McDonald	Stembridge	
Burgreen	Gloor	McLain	Turnham	
Cameron	Graham	Melton	Watkins	
Cherner	Grainger	Money	Weeks	
Collier	Grayson	Nettles	Wood	
Collins (C)	Hain	Owens (W)	Wright	
Collins (W)	Harris	Pennington	Yeilding	
Cook (Coffee)	Haygood			—61

Nays:

Mr. Speaker	Gafford	Lemley	Pearson	
Bassett	Hardin	Manley	Pruitt	
Beck	Hobbie	Meade	Snell	
Brown	Jackson (T)	Merrill	Stubbs	
Burgess	Kilgore	Neville	Tuck	
Fine				—21

MOTION TO BRING UP H. 1436 LOST

The motion of Mr. Burgess, to suspend the rule and bring up out of order the bill, H. 1436, was lost.

Yeas 44; Nays 23.

Yeas:

Messrs.:	Collins (W)	Graham	McCorquodale
Adwell	Cook (Coffee)	Grainger	Melton
Agee	Culver	Grayson	Owens (W)
Bank	Dill	Harris	Robertson
Berryman (W)	Dobbs	Haygood	Sessions
Bowers	Downing	Hill	Snell
Brannan	Drake	Hobbie	Steagall
Brassell	Ellis	Holladay	Turnham
Brown	Gafford	Lyons	Weeks
Burgreen	Garrett	Malone	Williams
Cameron	Gloor	Marr	Wood
Cherner			—44

Nays:

Mr. Speaker	Hain	McDonald	Pruitt
Bassett	Hardin	Nettles	Slate
Beck	House	Neville	Stembridge
Cook (Jefferson)	Jackson (T)	Owen (Baldwin)	Tuck
Crawford	Kilgore	Paulk	Yeilding
Fine	Manley	Perloff	—23

And the bill:

S. 247. To amend further Act No. 582, H. 402, Regular Session 1965 (Acts 1965, p. 1079), entitled "An Act to fix the compensation of certain state officers."

Was read a third time at length and passed.

Yeas 55; Nays 15.

Yeas:

Mr. Speaker	Cook (Coffee)	Holman	Paulk
Bank	Cook (Jefferson)	House	Pruitt
Bassett	Culver	Lyons	Robertson
Beck	Doss	Manley	Slate
Berryman (W)	Downing	Marr	Smith
Blanton	Drake	Mathews	Snell
Bowers	Fine	McDonald	Starnes
Brannan	Grainger	McElhaney	Steagall
Brassell	Grayson	Melton	Tuck
Brown	Hain	Merrill	Turnham
Burgess	Harris	Money	Weeks
Burgreen	Haygood	Nettles	Williams
Cameron	Hill	Neville	Wood
Collins (W)	Hobbie	Owen (Baldwin)	—55

Nays:

Messrs.:	Crawford	Jackson (T)	Owens (W)
Agee	Dill	Kilgore	Perloff
Cherner	Gafford	Malone	Yeilding
Crane	Garrett	McCorquodale	Young
			—15

MOTION TO BRING UP H. 298 LOST

The motion of Mr. Harris, to suspend the rules and bring up out of order the bill, H. 298, was lost.

Yeas 45; Nays 22.

Yeas:

Messrs.:	Collier	Haygood	Robertson
Agee	Collins (W)	Hill	Sessions
Bank	Cook (Coffee)	Holladay	Slate
Bassett	Culver	Marr	Smith
Beck	Dill	Mathews	Snell
Berryman (W)	Doss	McCorquodale	Springer
Blanton	Downing	McDonald	Starnes
Bowers	Gafford	McElhaney	Steagall
Brannan	Graham	Melton	Turnham
Brassell	Grayson	Nettles	Williams
Cameron	Hardin	Paulk	Wood
Cherner	Harris		—45

Nays:

Mr. Speaker	Hain	Meade	Tuck
Brown	House	Perloff	Waggoner
Cook (Jefferson)	Jackson (T)	Pruitt	Weeks
Crawford	Kilgore	Shumate	Yeilding
Ellis	Lemley	Stembridge	Young
Gloor	Manley		—22

And the bill:

H. 1338. To amend Code of Alabama 1940, Title 29, Section 45, relating to the payment of taxes on alcoholic beverages through the use of stamps, crowns or lids, so as to provide for the use of such tax.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 76; Nay 1.

Yeas:

Mr. Speaker	Dill	Kilgore	Pearson
Agee	Downing	Laxson	Pennington
Bank	Drake	Lemley	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Garrett	Marr	Sessions
Blanton	Graham	Mathews	Slate
Bowers	Grainger	McCorquodale	Smith
Brannan	Grayson	McDonald	Snell
Brassell	Hain	McElhaney	Springer
Brown	Hardin	McLain	Starnes
Burgreen	Harris	Meade	Stembridge
Cameron	Haygood	Melton	Stubbs
Cherner	Higginbotham	Merrill	Tuck
Collier	Hill	Money	Waggoner
Collins (W)	Hobbie	Nettles	Weeks
Cook (Coffee)	Holladay	Neville	Williams
Crawford	Holman	Owen (Baldwin)	Wood
Culver	Jackson (T)	Paulk	Wright
			—76

Nay: Mr. Turnham —1

And the bill:

S. 748 (with amendments). Relating to state parks, memorials and historical sites; establishing the Tannehill Furnace and Foundary Commission as a state agency to acquire, renovate, maintain and exhibit the old Tannehill Furnace in the County of Tuscaloosa; and to establish, create, manage, control and operate a state memorial park for the exhibition of this old furnace and the processes of iron making and for other related purposes; prescribing the authority, powers, duties and functions of the commission and its members and officers; forbidding members of the commission or employees thereof to engage in certain dealings with the commission and prescribing penalties therefor; and making an appropriation.

Was taken up.

The question was on the adoption of Amendment #1 reported by the Standing Committee on State Administration, said Committee Amendment being as follows:

Amend Senate Bill 748 by striking the figures "$5,000.00" where said figures appear in Section 10 of the bill and inserting in lieu therefor the figures "$10,000.00."

And the amendment was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Dill	Lemley	Pruitt
Adwell	Doss	Malone	Robertson
Agee	Downing	Manley	Sessions
Bassett	Drake	Marr	Shumate
Beck	Edington	Mathews	Slate
Berryman (W)	Ellis	McCorquodale	Smith
Blanton	Fine	McDonald	Snell
Brannan	Gafford	McElhaney	Steagall
Brassell	Garrett	McLain	Stembridge
Brown	Gloor	Meade	Stubbs
Burgess	Graham	Melton	Tuck
Burgreen	Grainger	Money	Turnham
Cameron	Grayson	Nettles	Waggoner
Cherner	Hain	Owen (Baldwin)	Weeks
Collier	Hardin	Paulk	Williams
Collins (W)	Higginbotham	Pearson	Wood
Cook (Coffee)	Holman	Pennington	Wright
Crawford	Jackson (T)	Perloff	Young
Culver	Kilgore		—74

The question, then, was on the adoption of Amendment #2 reported by the Standing Committee on State Administration, said Committee Amendment being as follows:

At the end of Section 10 of the bill, add the following Subsection (D):

(D) The governing body of any county or of any municipality in this state shall be authorized, by resolution duly adopted and recorded, to appropriate any available public funds not otherwise pledged to the use of any such Commission.

And the amendment was adopted.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Crawford	Higginbotham	Pearson
Adwell	Culver	Holman	Pennington
Bank	Dill	House	Perloff
Bassett	Dobbs	Jackson (T)	Pruitt
Beck	Downing	Kilgore	Robertson
Berryman (W)	Drake	Lemley	Slate
Blanton	Edington	Malone	Smith
Bowers	Ellis	Manley	Snell
Brannan	Fine	Marr	Steagall
Brassell	Gafford	Mathews	Stembridge
Brown	Garrett	McCorquodale	Stubbs
Burgreen	Gloor	McLain	Tuck
Cameron	Graham	Meade	Waggoner
Cherner	Grainger	Melton	Weeks
Collier	Grayson	Merrill	Williams
Collins (W)	Hain	Money	Wood
Cook (Coffee)	Hardin	Nettles	Wright
Cook (Jefferson)	Haygood	Owen (Baldwin)	Young

—72

And the bill, S. 748, as thus amended, was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dill	Holladay	Pearson
Adwell	Dobbs	Holman	Pennington
Agee	Doss	House	Perloff
Bassett	Downing	Jackson (T)	Pruitt
Beck	Drake	Kilgore	Robertson
Berryman (W)	Edington	Laxson	Shumate
Blanton	Ellis	Lemley	Slate
Bowers	Fine	Malone	Smith
Brannan	Gafford	Manley	Snell
Brassell	Garrett	Marr	Steagall
Brown	Gloor	Mathews	Stembridge
Burgreen	Graham	McCorquodale	Tuck
Cameron	Grainger	McLain	Turnham
Cherner	Grayson	Meade	Waggoner
Collier	Hain	Melton	Weeks
Collins (W)	Hardin	Merrill	Williams
Cook (Coffee)	Haygood	Money	Wood
Cook (Jefferson)	Headley	Nettles	Wright
Crawford	Higginbotham	Owen (Baldwin)	Young
Culver	Hill	Paulk	

—79

And the bill:

S. 101. To amend the Securities Act of Alabama (Acts 1959, v. 2, p. 1318, et seq., Act No. 542, Regular Session 1959) so as to make further provisions relating to the registration of securities dealers and salesmen and the registration and sale of securities.

Was read a third time at length and passed.

Yeas 51; Nays 17.

Yeas:

Mr. Speaker	Dobbs	Laxson	Pearson	
Agee	Downing	Lemley	Pruitt	
Bassett	Drake	Manley	Robertson	
Beck	Edington	Marr	Smith	
Bowers	Ellis	Mathews	Starnes	
Brannan	Fine	McDonald	Steagall	
Brassell	Grainger	McLain	Tuck	
Brown	Grayson	Meade	Turnham	
Burgreen	Hain	Melton	Weeks	
Cameron	Hardin	Merrill	Williams	
Cherner	Higginbotham	Nettles	Wright	
Culver	Holladay	Neville	Young	
Dill	Holman	Owen (Baldwin)		—51

Nays:

Messrs.:	Garrett	Kilgore	Perloff	
Blanton	Graham	Malone	Snell	
Collins (W)	Harris	Money	Stembridge	
Crawford	Hobbie	Owens (W)	Wood	
Gafford	Jackson (T)			—17

And the bill:

S. 674 (with amendment). To regulate further the office of sheriff in this State; to prescribe the annual salaries of sheriffs of the several counties of the state classified on a population basis; to provide for operation of the sheriff's office on a salary basis; to provide for and regulate the collection of sheriffs' fees and the payment thereof into the county treasury; to repeal conflicting laws, general, local and special.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on State Administration, said Committee amendment being as follows:

Amend S. B. No. 674 by inserting in the proper place in Section 1, the following:

"In counties having populations of 600,000 or more the annual salary of the sheriff shall be $21,000.00"

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cameron	Ellis	Higginbotham
Adwell	Cherner	Gafford	Hill
Agee	Collier	Garrett	Hobbie
Bassett	Collins (W)	Gloor	Holladay
Beck	Cook (Jefferson)	Graham	Holman
Berryman (W)	Culver	Grainger	Jackson (T)
Blanton	Dill	Grayson	Jones
Bowers	Dobbs	Hain	Kilgore
Brannan	Doss	Hardin	Laxson
Brassell	Downing	Harris	Lemley
Brown	Drake	Haygood	Malone
Burgreen	Edington	Headley	Manley

Marr	Money	Robertson	Tuck	
Mathews	Nettles	Sessions	Turnham	
Mays	Neville	Shumate	Waggoner	
McCorquodale	Owen (Baldwin)	Slate	Weeks	
McDonald	Owens (W)	Smith	Williams	
McElhaney	Paulk	Springer	Wood	
McLain	Pearson	Starnes	Wright	
Meade	Pennington	Steagall	Yeilding	
Melton	Perloff	Stembridge	Young	
Merrill	Pruitt	Stubbs		—87

Mr. Beck offered the following amendment to the bill, S. 674, as amended:

Insert immediately after Section 3 of the bill the following new Section 4 and renumber the succeeding sections:

Section 4. This Act shall not apply to counties having populations of not less than 41,000 nor more than 45,000.

And the amendment was adopted.

Yeas 50; Nays 9.

Yeas:

Mr. Speaker	Dobbs	Laxson	Pennington	
Agee	Doss	Malone	Pruitt	
Bassett	Downing	Manley	Robertson	
Beck	Drake	Marr	Shumate	
Blanton	Grainger	Mathews	Smith	
Brannan	Grayson	McCorquodale	Springer	
Brassell	Hain	McLain	Steagall	
Brown	Hardin	Meade	Stembridge	
Cameron	Headley	Melton	Turnham	
Collier	Higginbotham	Merrill	Weeks	
Collins (W)	Hobbie	Owen (Baldwin)	Yeilding	
Culver	Holladay	Owens (W)	Young	
Dill	Holman			—50

Nays:

Messrs.:	Garrett	McElhaney	Starnes	
Berryman (W)	Jackson (T)	Nettles	Tuck	
Edington	Lemley			—9

Mr. Snell offered the following amendment to the bill, S. 674, as amended:

In the title of the bill, add the following words:

; to provide that this Act shall not apply to counties having populations of not less than 37,000 nor more than 41,000.

Insert immediately after Section 3 the following new Section 4 and renumber the succeeding sections.

Section 4. This Act shall not apply to counties having populations of not less than 37,000 nor more than 41,000.

And the amendment was adopted.

Yeas 55; Nays 5.

Yeas:

Mr. Speaker	Downing	Marr	Robertson	
Agee	Drake	Mathews	Shumate	
Bassett	Graham	McCorquodale	Slate	
Beck	Grainger	McElhaney	Smith	
Berryman (W)	Grayson	McLain	Springer	
Blanton	Hardin	Meade	Steagall	
Brannan	Headley	Melton	Stembridge	
Brassell	Higginbotham	Merrill	Tuck	
Burgreen	Holladay	Owens (W)	Turnham	
Cameron	Jones	Paulk	Weeks	
Collier	Kilgore	Pearson	Wood	
Collins (W)	Laxson	Pennington	Yeilding	
Culver	Malone	Perloff	Young	
Dobbs	Manley	Pruitt		—55

Nays:

Messrs.:	Edington	Lemley	Money	
Dill	Garrett			—5

Mr. Fine offered the following amendment to the bill, S. 674, as amended:

In the title of the bill, add the following words: ; to provide that this Act shall not apply to counties having populations of not less than 13,700 nor more than 14,300 or having populations of not less than 15,500 nor more than 16,300.

Insert immediately after Section 3 the following new Section 4 and renumber the succeeding sections.

Section 4. This Act shall not apply to counties having populations of not less than 13,700 nor more than 14,300 or having populations of not less than 15,500 nor more than 16,300, according to the most recent federal decennial census.

And the amendment was adopted.

Yeas 56; Nays 4.

Yeas:

Mr. Speaker	Culver	Jackson (T)	Pennington	
Agee	Dobbs	Jones	Perloff	
Bassett	Downing	Kilgore	Pruitt	
Beck	Drake	Malone	Robertson	
Berryman (W)	Ellis	Manley	Slate	
Blanton	Fine	Marr	Smith	
Brannan	Graham	Mathews	Steagall	
Brassell	Grayson	McCorquodale	Stembridge	
Burgess	Hain	McLain	Tuck	
Burgreen	Hardin	Melton	Turnham	
Cameron	Headley	Merrill	Weeks	
Collier	Higginbotham	Owens (W)	Wood	
Collins (W)	Hobbie	Paulk	Yeilding	
Cook (Jefferson)	Holman	Pearson	Young	
				—56

Nays:

Messrs.:	Dill	Garrett	Lemley	
Brown				—4

Mr. Steagall offered the following amendment to the bill, S. 674, as amended:

In Section 1 strike out the following words and figures:

In counties having populations of not less than 30,000 nor more than 96,000 the annual salary of the sheriff shall be $15,000, except that in all counties having a population of not less than 50,000 nor more than 51,000 the annual salary of the sheriff shall be $12,000; and insert in lieu thereof the following:

In counties having populations of not less than 30,000 nor more than 96,000 the annual salary of the sheriff shall be $15,000, except that in all counties having a population of not less than 31,000 nor more than 32,000 and in all counties having a population of not less than 50,000 nor more than 51,000 the annual salary of the sheriff shall be $12,000;

And the amendment was adopted.

Yeas 47; Nays 5.

Yeas:

Mr. Speaker	Dobbs	Laxson	Pennington	
Agee	Doss	Malone	Perloff	
Bank	Downing	Manley	Pruitt	
Beck	Drake	Marr	Robertson	
Berryman (W)	Ellis	McCorquodale	Slate	
Blanton	Graham	McLain	Springer	
Brannan	Grayson	Meade	Steagall	
Brassell	Hain	Melton	Turnham	
Burgreen	Holman	Merrill	Weeks	
Collier	Jackson (T)	Money	Wood	
Collins (W)	Jones	Owens (W)	Young	
Culver	Kilgore	Pearson		—47

Nays:

Messrs.:	Dill	Hardin	Lemley	
Bassett	Garrett			—5

Mr. Smith offered the following amendment to the bill, S. 674, as amended:

Amend S. B. 674 by adding after the figure 51,000 the phrase "and in all counties having a population not less than 65,000 nor more than 95,000," in Section 1 thereof.

And the amendment was adopted.

Yeas 45; Nays 3.

Yeas:

Mr. Speaker	Culver	Jones	Paulk	
Agee	Dobbs	Kilgore	Pearson	
Bank	Doss	Laxson	Pennington	
Beck	Downing	Malone	Perloff	
Berryman (W)	Drake	Manley	Pruitt	
Blanton	Graham	Marr	Robertson	
Brannan	Grayson	McCorquodale	Slate	
Brassell	Hain	McLain	Smith	
Burgess	Higginbotham	Meade	Steagall	
Burgreen	Holman	Melton	Wood	
Collier	Jackson (T)	Owens (W)	Young	
Collins (W)				—45

Nays: Messrs. Dill, Garrett and Lemley —3

Messrs. Crawford and Stembridge offered the following amendment to the bill, S. 674, as amended:

In Section 1 of S.B. 674, second paragraph following figure 12,000 add the following: "except in counties with population not less than 15,000 nor more than 15,300 the salary shall be $7200.00 per annum".

And the amendment was adopted.

Yeas 51; Nays 3.

Yeas:

Mr. Speaker	Downing	Laxson	Pearson
Agee	Doss	Malone	Pennington
Bank	Drake	Marr	Perloff
Bassett	Graham	McCorquodale	Pruitt
Beck	Grayson	McDonald	Robertson
Berryman (W)	Hain	McLain	Sessions
Blanton	Hardin	Meade	Slate
Brannan	Headley	Melton	Steagall
Brassell	Higginbotham	Money	Stembridge
Collier	Holman	Nettles	Turnham
Collins (W)	Jackson (T)	Owen (Baldwin)	Wood
Culver	Jones	Owens (W)	Young
Dobbs	Kilgore	Paulk	

—51

Nays: Messrs. Dill, Garrett and Lemley —3

Mr. Downing offered the following amendment to the bill, S. 674, as amended:

Amend S. B. No. 674 by inserting in the proper place in Section 1 the following:

"In counties having populations of 300,000 to 500,000 the annual salary of the sheriff shall be $18,000.

And the amendment was adopted.

Yeas 60; Nay 1.

Yeas:

Mr. Speaker	Dill	Jones	Owen (Baldwin)
Agee	Dobbs	Kilgore	Paulk
Bassett	Doss	Laxson	Pearson
Beck	Downing	Lemley	Pennington
Berryman (W)	Drake	Lyons	Perloff
Blanton	Fine	Malone	Pruitt
Bowers	Gafford	Manley	Robertson
Brannan	Graham	Marr	Sessions
Brassell	Grayson	McCorquodale	Shumate
Brown	Hain	McDonald	Steagall
Burgreen	Hardin	Meade	Stembridge
Collier	Headley	Melton	Tuck
Collins (W)	Higginbotham	Merrill	Turnham
Crawford	Holman	Money	Wood
Culver	Jackson (T)	Nettles	Young

—60

Nay: Mr. Garrett —1

Mr. Hill offered the following amendment to the bill, S. 674, as amended:

Amend S. B. No. 674 by inserting in the proper place in Section 1, the following:

"In counties having populations of 61,000 to 62,000 or more the annual salary of the sheriff shall be $13,500.00"

And the amendment was adopted.

Yeas 59; Nays 3.

Yeas:

Mr. Speaker	Doss	Jones	Perloff	
Agee	Downing	Kilgore	Pruitt	
Bassett	Drake	Laxson	Robertson	
Beck	Ellis	Malone	Sessions	
Berryman (W)	Fine	Manley	Shumate	
Blanton	Graham	Marr	Slate	
Brannan	Grayson	McCorquodale	Smith	
Brassell	Hain	McLain	Stembridge	
Brown	Hardin	Meade	Stubbs	
Burgreen	Headley	Melton	Tuck	
Collier	Higginbotham	Merrill	Turnham	
Collins (W)	Hobbie	Owen (Baldwin)	Wood	
Crawford	Holman	Paulk	Yeilding	
Culver	House	Pearson	Young	
Dobbs	Jackson (T)	Pennington		—59

Nays: Messrs. Dill, Garrett, and Lemley —3

Mr. Drake offered the following amendment to the bill, S. 674, as amended:

In Section 1, in the fourth paragraph thereof, add at the end and as a part thereof the following: (In all counties having populations of not less than 42,000 nor more than 46,000, the salary hereinabove prescribed shall be in lieu of all compensation and allowances heretofore prescribed by law and except as provided hereinafter in this section and in Sections 2 and 3 of this Act such salary shall be the total salary compensation allowances and supplements received by such sheriffs from the county.)

And the amendment was adopted.

Yeas 59; Nays 3.

Yeas:

Mr. Speaker	Doss	Jones	Perloff	
Agee	Downing	Kilgore	Pruitt	
Bassett	Drake	Laxson	Robertson	
Beck	Ellis	Malone	Sessions	
Berryman (W)	Fine	Manley	Shumate	
Blanton	Graham	Marr	Slate	
Brannan	Grayson	McCorquodale	Smith	
Brassell	Hain	McLain	Stembridge	
Brown	Hardin	Meade	Stubbs	
Burgreen	Headley	Melton	Tuck	
Collier	Higginbotham	Merrill	Turnham	
Collins (W)	Hobbie	Owen (Baldwin)	Wood	
Crawford	Holman	Paulk	Yeilding	
Culver	House	Pearson	Young	
Dobbs	Jackson (T)	Pennington		—59

Nays: Messrs. Dill, Garrett and Lemley —3

Mr. Holladay offered the following amendment to the bill, S. 674, as amended:

S. B. 674 is hereby amended by adding the following:

Provided, however, that in counties of the population between 24,800 and 25,400 the salary of the Sheriff shall be $12,000.00.

And the amendment was adopted.

Yeas 46; Nays 3.

Yeas:

Mr. Speaker	Dobbs	Malone	Pruitt	
Agee	Downing	Manley	Sessions	
Berryman (W)	Drake	Marr	Slate	
Blanton	Graham	Mathews	Smith	
Brannan	Grayson	McCorquodale	Snell	
Brassell	Hain	Melton	Starnes	
Burgess	Harris	Merrill	Steagall	
Burgreen	Haygood	Nettles	Stembridge	
Collier	Holman	Pearson	Wood	
Collins (W)	House	Pennington	Yeilding	
Cook (Jefferson)	Jackson (T)	Perloff	Young	
Crawford	Kilgore			—46

Nays: Messrs. Dill, Garrett and Lemley —3

Mr. Turnham offered the following amendment to the bill, S. 674, as amended:

In Section 1, in the fourth paragraph thereof, add at the end as a part thereof the following:

In all counties having population of not less than 47,500 and not more than 50,000, the salary hereinabove prescribed shall be in lieu of all compensation and allowances heretofore prescribed by law and except as provided hereinafter in this Section and in Sections 2 and 3 of this Act such salary shall be the total compensation, allowances and supplements received by such sheriffs from the county.

And the amendment was adopted.

Yeas 59; Nays 4.

Yeas:

Mr. Speaker	Downing	Manley	Perloff	
Agee	Drake	Marr	Pruitt	
Bassett	Ellis	Mathews	Sessions	
Beck	Fine	McCorquodale	Shumate	
Berryman (W)	Graham	McElhaney	Slate	
Blanton	Hain	McLain	Smith	
Brannan	Hardin	Meade	Snell	
Burgess	Harris	Melton	Steagall	
Burgreen	Headley	Merrill	Stembridge	
Collins (C)	Higginbotham	Money	Turnham	
Collins (W)	Holladay	Nettles	Watkins	
Cook (Jefferson)	Holman	Owen (Baldwin)	Wood	
Crawford	House	Owens (W)	Yeilding	
Dobbs	Laxson	Paulk	Young	
Doss	Malone	Pearson		—59

Nays:

Messrs.:	Garrett	Jackson (T)	Lemley	
Dill				—4

And the bill, S. 674, as thus amended, was read a third time at length and passed.

Yeas 78; Nays 2.

Yeas:

Mr. Speaker	Downing	Lyons	Perloff
Agee	Drake	Malone	Pruitt
Bank	Ellis	Manley	Sessions
Bassett	Fine	Marr	Shumate
Beck	Garrett	Mathews	Slate
Berryman (W)	Gloor	Mays	Smith
Blanton	Graham	McCorquodale	Snell
Brannan	Hain	McDonald	Starnes
Brassell	Hardin	McElhaney	Steagall
Burgess	Harris	McLain	Stembridge
Burgreen	Headley	Melton	Stubbs
Collins (C)	Higginbotham	Merrill	Tuck
Collins (W)	Holladay	Money	Turnham
Cook (Coffee)	Holman	Nettles	Watkins
Cook (Jefferson)	House	Neville	Williams
Crawford	Jackson (T)	Owen (Baldwin)	Wood
Culver	Jones	Owens (W)	Wright
Dill	Kilgore	Paulk	Yeilding
Dobbs	Laxson	Pearson	Young
Doss	Lemley		—78

Nays: Messrs. Collier and Meade —2

MOTION TO ADJOURN LOST

The motion of Mr. Manley that the House adjourn until two o'clock P. M. Tuesday, August 26, 1969, was lost.

Yeas 39; Nays 46.

Yeas:

Mr. Speaker	Dobbs	McCorquodale	Steagall
Bank	Drake	Meade	Tuck
Berryman (W)	Fine	Merrill	Turnham
Blanton	Hain	Neville	Watkins
Brannan	Headley	Paulk	Weeks
Brassell	Laxson	Perloff	Williams
Brown	Lemley	Pruitt	Wood
Burgess	Lyons	Shumate	Wright
Burgreen	Malone	Slate	Young
Dill	Manley	Snell	—39

Nays:

Messrs.:	Downing	House	Owen (Baldwin)
Adwell	Ellis	Jackson (T)	Owens (W)
Agee	Garrett	Jones	Pearson
Bassett	Graham	Kilgore	Pennington
Bowers	Grainger	Mathews	Robertson
Cameron	Hardin	Mays	Sessions
Collins (C)	Harris	McDonald	Smith
Collins (W)	Haygood	McElhaney	Stembridge
Cook (Jefferson)	Higginbotham	McLain	Stubbs
Crawford	Hill	Melton	Waggoner
Culver	Hobbie	Money	Yeilding
Doss	Holman	Nettles	—46

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Torbert, Vacca, Nabors and Hawkins:

S. 520. To provide for the control of air pollution within the State of Alabama; to create and establish an Air Pollution Control Commission; to prescribe the jurisdiction, powers, duties and functions of the Air Pollution Control Commission; to provide for an executive director of the Commission; to provide for the enforcement of the Act and orders, rules and regulations adopted by the Air Pollution Control Commission; prescribing penalties and making appropriations.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 520. Ways and Means.

MOTION TO BRING UP H. 36

Mr. Graham moved to suspend the rules and bring up out of order the bill, H. 36.

Messrs. Pennington, Culver and Pearson asked to be added as co-sponsors to the bill, H. 36, and unanimous consent was granted.

The motion of Mr. Graham was lost.

Yeas 52; Nays 15.

Yeas:

Messrs.:	Ellis	Laxson	Perloff
Beck	Gafford	Lemley	Robertson
Berryman (W)	Garrett	Lyons	Sessions
Blanton	Gloor	Malone	Slate
Brannan	Graham	Manley	Smith
Brown	Grainger	McCorquodale	Starnes
Cherner	Harris	McElhaney	Steagall
Collier	Haygood	McLain	Stembridge
Collins (C)	Hill	Melton	Stubbs
Collins (W)	Hobbie	Nettles	Tuck
Culver	Holman	Neville	Williams
Dill	Jackson (T)	Pearson	Wright
Doss	Jones	Pennington	Yeilding
Drake			—52

Nays:

Mr. Speaker	Downing	Meade	Turnham
Brassell	Marr	Merrill	Watkins
Burgess	Mathews	Paulk	Young
Burgreen	McDonald	Snell	—15

MOTION TO BRING UP H. 126 LOST

The motion of Mr. Garrett to suspend the rules and bring up out of order the bill, H. 126, was lost.

Yeas 47; Nays 22.

Yeas:

Messrs.:	Crane	Hill	Perloff
Agee	Crawford	Hobbie	Robertson
Bassett	Culver	Holladay	Shumate
Beck	Dill	Laxson	Smith
Berryman (W)	Doss	Lemley	Starnes
Brannan	Drake	Lyons	Steagall
Brown	Ellis	Malone	Stembridge
Burgess	Garrett	Marr	Stubbs
Burgreen	Graham	Mathews	Turnham
Cameron	Hardin	McLain	Watkins
Collier	Haygood	Owens (W)	Wood
Cook (Coffee)	Headley	Pennington	Yeilding

—47

Nays:

Mr. Speaker	Edington	McDonald	Neville
Bank	Fine	McElhaney	Paulk
Bowers	Harris	Melton	Sessions
Brassell	House	Merrill	Tuck
Collins (C)	Jackson (T)	Nettles	Waggoner
Cook (Jefferson)	Manley		

—22

MOTION TO POSTPONE HOUSE BILLS LOST

The motion of Mr. Meade that when the House adjourns this day all House bills be indefinitely postponed was lost.

Yeas 61; Nays 21.

Yeas:

Mr. Speaker	Drake	Laxson	Neville
Adwell	Edington	Lemley	Owens (W)
Bassett	Ellis	Lyons	Paulk
Beck	Fine	Malone	Pearson
Brannan	Gafford	Manley	Pennington
Brassell	Gloor	Marr	Perloff
Burgess	Hain	Mathews	Pruitt
Burgreen	Hardin	McCorquodale	Sessions
Cameron	Haygood	McDonald	Shumate
Cherner	Hill	McElhaney	Smith
Cook (Coffee)	Holladay	McLain	Steagall
Crawford	House	Meade	Stembridge
Culver	Jackson (T)	Melton	Tuck
Dill	Jones	Merrill	Yeilding
Doss	Kilgore	Money	Young
Downing			

—61

Nays:

Messrs.:	Garrett	Nettles	Turnham
Agee	Graham	Owen (Baldwin)	Waggoner
Berryman (W)	Harris	Robertson	Watkins
Blanton	Headley	Starnes	Weeks
Brown	Higginbotham	Stubbs	Wood
Cook (Jefferson)	Holman		

—21

MOTION TO ADJOURN LOST

The motion of Mr. Meade that the House adjourn until two o'clock P. M. Tuesday, August 26, 1969, was lost.

Yeas 34; Nays 54.

Yeas:

Mr. Speaker	Cook (Coffee)	Mathews	Pruitt
Bank	Dill	McCorquodale	Shumate
Beck	Fine	Meade	Slate
Berryman (W)	Hain	Merrill	Steagall
Blanton	Headley	Neville	Turnham
Brannan	Higginbotham	Paulk	Wood
Brassell	Laxson	Pearson	Wright
Burgess	Malone	Perloff	Young
Burgreen	Manley		—34

Nays:

Messrs.:	Downing	Holman	Owens (W)
Adwell	Drake	House	Pennington
Agee	Edington	Jackson (T)	Robertson
Bassett	Ellis	Jones	Sessions
Bowers	Gafford	Kilgore	Smith
Brown	Garrett	Lemley	Starnes
Cameron	Graham	Lyons	Stembridge
Cherner	Grainger	Marr	Stubbs
Collier	Hardin	McDonald	Tuck
Collins (W)	Harris	McElhaney	Waggoner
Cook (Jefferson)	Haygood	McLain	Watkins
Crawford	Hill	Melton	Williams
Culver	Hobbie	Money	Yeilding
Doss	Holladay	Nettles	—54

MOTION TO BRING UP H. 345 LOST

The motion of Mr. Robertson to suspend the rules and bring up out of order the bill, H. 345, was lost.

Yeas 30; Nays 40.

Yeas:

Messrs.:	Collins (C)	Ellis	Marr
Bank	Cook (Coffee)	Garrett	McCorquodale
Berryman (W)	Cook (Jefferson)	Graham	Melton
Bowers	Culver	Grainger	Robertson
Brannan	Dill	Harris	Shumate
Brassell	Doss	Haygood	Steagall
Brown	Downing	Hill	Wood
Burgess	Edington	Holladay	—30

Nays:

Mr. Speaker	House	McLain	Sessions
Adwell	Jackson (T)	Meade	Slate
Agee	Kilgore	Merrill	Snell
Bassett	Laxson	Nettles	Stembridge
Beck	Lemley	Neville	Tuck
Cameron	Lyons	Owens (W)	Turnham
Collier	Malone	Paulk	Waggoner
Crawford	Manley	Pearson	Watkins
Hardin	McDonald	Perloff	Yeilding
Higginbotham	McElhaney	Pruitt	Young
			—40

MOTION TO BRING UP H. 767 LOST

The motion of Mr. Owen (Baldwin) to suspend the rules and bring up out of order the bill, H. 767, was lost.

Yeas 50; Nays 26.

Yeas:

Mr. Speaker	Cook (Coffee)	Hardin	Owen (Baldwin)
Adwell	Cook (Jefferson)	Harris	Paulk
Agee	Crawford	Haygood	Pennington
Bank	Culver	Hobbie	Pruitt
Beck	Dill	Holman	Robertson
Berryman (W)	Doss	House	Shumate
Blanton	Downing	Laxson	Slate
Bowers	Drake	Lyons	Snell
Brannan	Edington	Marr	Steagall
Brassell	Fine	McCorquodale	Stembridge
Burgess	Gafford	Merrill	Stubbs
Burgreen	Grayson	Neville	Waggoner
Collins (W)	Hain		—50

Nays:

Messrs.:	Grainger	Manley	Perloff
Brown	Higginbotham	McDonald	Watkins
Cameron	Hill	McElhaney	Wood
Cherner	Jackson (T)	McLain	Wright
Collins (C)	Jones	Melton	Yeilding
Ellis	Lemley	Nettles	Young
Garrett	Malone	Pearson	—26

MOTION TO ADJOURN LOST

The motion of Mr. Manley that the House adjourn until two o'clock P. M. Tuesday, August 26, 1969, was lost.

Yeas 31; Nays 52.

Yeas:

Mr. Speaker	Cook (Coffee)	Malone	Shumate
Bank	Fine	Manley	Slate
Berryman (W)	Grayson	Mathews	Snell
Blanton	Hain	McCorquodale	Steagall
Brannan	Haygood	Meade	Tuck
Brassell	Headley	Merrill	Watkins
Burgess	Higginbotham	Paulk	Young
Burgreen	Laxson	Pruitt	—31

Nays:

Messrs.:	Dobbs	Hobbie	Pearson
Adwell	Doss	Holman	Pennington
Agee	Downing	House	Perloff
Bassett	Drake	Jackson (T)	Robertson
Bowers	Edington	Kilgore	Sessions
Brown	Ellis	Lemley	Smith
Cherner	Gafford	Lyons	Starnes
Collier	Garrett	Marr	Stembridge
Collins (C)	Graham	McDonald	Stubbs
Collins (W)	Grainger	McElhaney	Waggoner
Cook (Jefferson)	Hardin	McLain	Wood
Crawford	Harris	Nettles	Wright
Culver	Hill	Neville	Yeilding
Dill			—52

MOTION TO ADJOURN LOST

The motion of Mr. Meade that the House adjourn until twelve o'clock Noon Tuesday, August 26, 1969, was lost.

Yeas 32; Nays 56.

Yeas:

Mr. Speaker	Cook (Coffee)	Manley	Shumate
Bank	Fine	Mathews	Slate
Berryman (W)	Grayson	McCorquodale	Snell
Brannan	Hain	Meade	Steagall
Brassell	Headley	Merrill	Tuck
Burgess	Higginbotham	Paulk	Turnham
Burgreen	Laxson	Pearson	Wright
Cameron	Malone	Pruitt	Young

—32

Nays:

Messrs.:	Dobbs	Hobbie	Nettles
Adwell	Doss	Holladay	Neville
Agee	Downing	Holman	Owens (W)
Bassett	Drake	House	Pennington
Blanton	Edington	Jackson (T)	Perloff
Bowers	Ellis	Jones	Robertson
Brown	Gafford	Lemley	Sessions
Cherner	Garrett	Lyons	Smith
Collier	Graham	Marr	Starnes
Collins (C)	Grainger	McDonald	Stembridge
Collins (W)	Hardin	McElhaney	Stubbs
Cook (Jefferson)	Harris	McLain	Waggoner
Crawford	Haygood	Meeks	Wood
Culver	Hill	Melton	Yeilding
Dill			

—56

And the bill:

S. 536 (with amendment). To further amend Section 1 of Act No. 936, H. 652, Regular Session of 1951 Acts of the Legislature of Alabama, Page 1605, an Act relating to Supernumerary Circuit Judges, so as to regulate further their compensation while actively performing the duties of a Circuit Judge.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Senate Bill is amended by inserting in the fifth line of the title after the words "so as" the following, "to fix their annual compensation and".

And the amendment was adopted.

Yeas 81; Nays 2.

Yeas:

Mr. Speaker	Brannan	Collins (C)	Downing
Agee	Brassell	Collins (W)	Drake
Bassett	Burgess	Cook (Coffee)	Edington
Beck	Burgreen	Cook (Jefferson)	Ellis
Berryman (W)	Cameron	Crawford	Fine
Blanton	Cherner	Culver	Gafford
Bowers	Collier	Dill	Garrett

Gloor	Jones	Merrill	Smith
Graham	Laxson	Nettles	Snell
Grainger	Lyons	Neville	Starnes
Grayson	Malone	Owen (Baldwin)	Steagall
Hain	Manley	Owens (W)	Stembridge
Hardin	Marr	Paulk	Stubbs
Harris	Mathews	Pearson	Tuck
Headley	McCorquodale	Pennington	Turnham
Hill	McDonald	Perloff	Waggoner
Hobbie	McElhaney	Pruitt	Watkins
Holladay	McLain	Robertson	Williams
Holman	Meade	Sessions	Wood
House	Melton	Slate	Yeilding
Jackson (T)			—81

Nays: Messrs. Lemley and Shumate —2

And the bill, S. 536, as amended:

S. 536. To further amend Section 1 of Act No. 936, H. 652, Regular Session of 1951 Acts of the Legislature of Alabama, Page 1605, an Act relating to Supernumerary Circuit Judges, so as to fix their annual compensation and to regulate further their compensation while actively performing the duties of a Circiut Judge.

Was read a third time at length and passed.

Yeas 77; Nays 4.

Yeas:

Mr. Speaker	Downing	Laxson	Perloff
Agee	Drake	Lyons	Pruitt
Bassett	Edington	Malone	Robertson
Beck	Fine	Manley	Sessions
Berryman (W)	Gafford	Marr	Slate
Blanton	Garrett	McCorquodale	Smith
Bowers	Gloor	McDonald	Snell
Brannan	Grainger	McElhaney	Starnes
Brassell	Grayson	McLain	Steagall
Burgess	Hain	Meade	Stembridge
Burgreen	Hardin	Melton	Tuck
Cameron	Harris	Merrill	Turnham
Cherner	Headley	Nettles	Waggoner
Collier	Hobbie	Neville	Watkins
Collins (C)	Holladay	Owen (Baldwin)	Williams
Collins (W)	Holman	Owens (W)	Wood
Cook (Coffee)	House	Paulk	Wright
Cook (Jefferson)	Jackson (T)	Pearson	Yeilding
Crawford	Jones	Pennington	Young
Dill			—77

Nays:

Messrs.:			
Haygood	Higginbotham	Lemley	Stubbs
			—4

And the bill:

S. 322. To amend Act No. 221, H. 40, of the First Special Session of 1965 (Acts, Special Session 1965, p. 288) in relation to the State Textbook Committee, prescribing the number of members thereof, the manner of their appointment, their terms of office and the time for meetings of the committee.

Was read a third time at length and passed.

Yeas 59; Nays 16.

Yeas:

Mr. Speaker	Crawford	Holman	Perloff
Agee	Culver	House	Sessions
Bank	Downing	Jackson (T)	Shumate
Beck	Drake	Mathews	Slate
Blanton	Ellis	Mays	Smith
Bowers	Fine	McDonald	Starnes
Brannan	Gafford	McElhaney	Steagall
Brassell	Grainger	Meade	Stembridge
Brown	Hain	Merrill	Turnham
Cameron	Harris	Money	Waggoner
Cherner	Haygood	Neville	Watkins
Collier	Higginbotham	Owen (Baldwin)	Williams
Collins (W)	Hill	Paulk	Wood
Cook (Jefferson)	Hobbie	Pearson	Yeilding
Crane	Holladay	Pennington	—59

Nays:

Messrs.:	Graham	Manley	Neville
Dill	Grayson	Marr	Owens (W)
Edington	Hardin	McLain	Tuck
Garrett	Jones	Melton	Young
Gloor			—16

And the bill:

S. 335. To amend Section 291 of Title 46 of the Code of Alabama 1940.

Was read a third time at length and passed.

Yeas 74; Nay 1.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Owen (Baldwin)
Agee	Downing	Jones	Owens (W)
Bank	Drake	Laxson	Paulk
Bassett	Edington	Lemley	Pearson
Beck	Ellis	Lyons	Perloff
Berryman (W)	Fine	Malone	Robertson
Blanton	Garrett	Manley	Sessions
Bowers	Gloor	Marr	Slate
Brannan	Graham	Mathews	Smith
Brown	Grainger	McCorquodale	Snell
Burgreen	Grayson	McDonald	Starnes
Cameron	Hain	McElhaney	Steagall
Cherner	Hardin	McLain	Stembridge
Collier	Harris	Meade	Tuck
Collins (W)	Haygood	Melton	Turnham
Cook (Coffee)	Higginbotham	Money	Williams
Crane	Hill	Nettles	Yeilding
Crawford	Hobbie	Neville	Young
Culver	Holladay		—74

Nay: Mr. Wood —1

And the bill:

S. 336. To amend Section 259 of Title 46 of the Code of Alabama 1940.

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Owens (W)
Agee	Downing	Jackson (T)	Paulk
Bank	Drake	Jones	Pearson
Bassett	Edington	Laxson	Perloff
Beck	Ellis	Lemley	Pruitt
Berryman (W)	Fine	Lyons	Robertson
Blanton	Gafford	Malone	Sessions
Bowers	Garrett	Manley	Slate
Brannan	Gloor	Marr	Smith
Brassell	Graham	Mathews	Snell
Brown	Grainger	McCorquodale	Starnes
Burgreen	Grayson	McDonald	Stembridge
Cameron	Hain	McElhaney	Tuck
Cherner	Hardin	McLain	Turnham
Collier	Harris	Meade	Weeks
Collins (W)	Haygood	Melton	Williams
Cook (Coffee)	Higginbotham	Money	Wood
Crane	Hill	Nettles	Yeilding
Crawford	Hobbie	Neville	Young
Culver	Holladay	Owen (Baldwin)	—79

MOTION TO ADJOURN LOST

The motion of Mr. Shumate that the House adjourn until two o'clock P. M. Tuesday, August 26, 1969, was lost.

Yeas 39; Nays 51.

Yeas:

Mr. Speaker	Cook (Coffee)	Marr	Snell
Bassett	Crawford	Mathews	Steagall
Beck	Fine	McCorquodale	Stembridge
Berryman (W)	Hain	Meade	Tuck
Blanton	Hardin	Merrill	Turnham
Brannan	Higginbotham	Neville	Weeks
Brassell	Laxson	Paulk	Williams
Burgess	Lemley	Pruitt	Wood
Burgreen	Malone	Shumate	Young
Cameron	Manley	Slate	—39

Nays:

Messrs.:	Doss	Hill	Money
Adwell	Downing	Hobbie	Nettles
Agee	Drake	Holladay	Owens (W)
Bank	Edington	Holman	Pearson
Bowers	Ellis	House	Pennington
Brown	Gafford	Jackson (T)	Perloff
Cherner	Garrett	Jones	Robertson
Collier	Gloor	Lyons	Sessions
Collins (W)	Graham	McDonald	Smith
Cook (Jefferson)	Grainger	McElhaney	Starnes
Crane	Grayson	McLain	Waggoner
Culver	Harris	Meeks	Watkins
Dill	Haygood	Melton	Yeilding
			—51

And the bill:

H. 1378. To amend Section 262 of Title 46 of the Code of Alabama 1940 (Recomp. 1958) relating to the practice of medicine in the State of Alabama; practicing medicine, osteopathy or chiropody without license; penalty for.

Was taken up.

Mr. Burgess moved to carry over the bill, H. 1378, to the thirty-fifth legislative day.

On motion of Mr. Pennington, the motion of Mr. Burgess to carry over was tabled.

Yeas 54; Nays 20.

Yeas:

Mr. Speaker	Cook (Jefferson)	Mathews	Pruitt
Adwell	Crawford	McCorquodale	Sessions
Agee	Downing	McElhaney	Slate
Bank	Drake	McLain	Smith
Beck	Ellis	Meade	Snell
Berryman (W)	Grainger	Melton	Springer
Blanton	Hain	Money	Starnes
Bowers	Harris	Nettles	Steagall
Brannan	Holman	Owens (W)	Stembridge
Burgreen	Jackson (T)	Paulk	Tuck
Cameron	Kilgore	Pearson	Waggoner
Collier	Laxson	Pennington	Williams
Collins (C)	Lemley	Perloff	Yeilding
Cook (Coffee)	Lyons		—54

Nays:

Messrs.:	Fine	House	Stubbs
Bassett	Garrett	Jones	Turnham
Brassell	Hardin	Neville	Watkins
Brown	Higginbotham	Robertson	Weeks
Burgess	Hobbie	Shumate	Wood
Dill			—20

MOTION TO ADJOURN LOST

The motion of Mr. Burgess that the House adjourn until twelve o'clock noon Tuesday, August 26, 1969, was lost.

Yeas 27; Nays 64.

Yeas:

Messrs.:	Cook (Coffee)	Marr	Snell
Bassett	Crawford	McCorquodale	Steagall
Berryman (W)	Grayson	Merrill	Tuck
Brannan	Hardin	Paulk	Turnham
Brassell	Higginbotham	Perloff	Watkins
Brown	Malone	Shumate	Weeks
Burgess	Manley	Slate	Wood
			—27

Nays:

Mr. Speaker	Downing	Holman	Neville
Adwell	Drake	House	Owen (Baldwin)
Agee	Edington	Jackson (T)	Owens (W)
Bank	Ellis	Jones	Pearson
Beck	Gafford	Kilgore	Pennington
Blanton	Garrett	Laxson	Pruitt
Bowers	Gloor	Lemley	Robertson
Burgreen	Graham	Lyons	Sessions
Cameron	Grainger	Mathews	Smith
Cherner	Hain	McDonald	Springer
Collier	Harris	McElhaney	Starnes
Collins (C)	Haygood	McLain	Stembridge
Collins (W)	Headley	Meeks	Stubbs
Cook (Jefferson)	Hill	Melton	Waggoner
Culver	Hobbie	Money	Williams
Dill	Holladay	Nettles	Yeilding

—64

And the bill, H. 1378, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nay 1.

Yeas:

Mr. Speaker	Crawford	Laxson	Paulk
Adwell	Culver	Lemley	Pearson
Agee	Downing	Lyons	Pennington
Bank	Drake	Malone	Perloff
Bassett	Edington	Manley	Pruitt
Beck	Ellis	Marr	Sessions
Berryman (W)	Grainger	Mathews	Slate
Blanton	Grayson	McCorquodale	Smith
Bowers	Hain	McDonald	Snell
Brannan	Harris	McElhaney	Springer
Burgess	Headley	Meade	Steagall
Burgreen	Hobbie	Melton	Stembridge
Cameron	Holladay	Merrill	Stubbs
Collier	Holman	Money	Tuck
Collins (C)	Jackson (T)	Nettles	Weeks
Collins (W)	Jones	Owen (Baldwin)	Williams
Cook (Coffee)	Kilgore	Owens (W)	Yeilding

—68

Nay: Mr. Wood —1

And the bill:

H. 1379. To amend Section 257(2) of Title 46 of the Code of Alabama 1940 (Recomp. 1958), relating to the State Licensing Board of Healing Arts, scope of powers, practice of healing arts defined.

Was taken up.

Mr. Burgess moved that the bill, H. 1379, be carried over to the thirty-fifth legislative day.

On motion of Mr. Pennington, the motion of Mr. Burgess to carry over was tabled.

Yeas 62; Nays 17.

Yeas:

Mr. Speaker	Culver	Malone	Pennington
Adwell	Downing	Marr	Perloff
Agee	Drake	Mathews	Pruitt
Bank	Edington	McCorquodale	Sessions
Beck	Ellis	McDonald	Smith
Berryman (W)	Grainger	McElhaney	Snell
Blanton	Grayson	McLain	Springer
Bowers	Hain	Meade	Starnes
Brannan	Harris	Melton	Steagall
Burgreen	Headley	Money	Stembridge
Cameron	Higginbotham	Nettles	Tuck
Collier	Holman	Neville	Turnham
Collins (C)	Jones	Owens (W)	Williams
Collins (W)	Laxson	Paulk	Wright
Cook (Coffee)	Lemley	Pearson	Yeilding
Crawford	Lyons		—62

Nays:

Messrs.:	Dill	Holladay	Slate
Bassett	Garrett	Jackson (T)	Stubbs
Brassell	Gloor	Robertson	Watkins
Brown	Hardin	Shumate	Wood
Burgess	Hobbie		—17

MOTION TO ADJOURN LOST

The motion of Mr. Burgess that the House adjourn until two o'clock P. M. Tuesday, August 26, 1969, was lost.

Yeas 18; Nays 70.

Yeas:

Messrs.:	Collins (W)	Malone	Snell
Agee	Cook (Coffee)	McCorquodale	Steagall
Bassett	Crawford	Paulk	Turnham
Blanton	Fine	Shumate	Wood
Burgess	Hardin	Slate	—18

Nays:

Mr. Speaker	Ellis	Jones	Owen (Baldwin)
Adwell	Gafford	Kilgore	Owens (W)
Bank	Garrett	Laxson	Pearson
Beck	Gloor	Lemley	Pennington
Bowers	Graham	Lyons	Perloff
Brassell	Grainger	Marr	Robertson
Brown	Grayson	Mathews	Sessions
Burgreen	Hain	Mays	Smith
Cameron	Harris	McDonald	Springer
Cherner	Haygood	McElhaney	Starnes
Collier	Headley	McLain	Stembridge
Collins (C)	Higginbotham	Meade	Stubbs
Cook (Jefferson)	Hill	Meeks	Tuck
Culver	Hobbie	Melton	Waggoner
Dill	Holladay	Money	Watkins
Downing	Holman	Nettles	Wright
Drake	House	Neville	Yeilding
Edington	Jackson (T)		—70

And the bill, H. 1379, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 71; Nays 4.

Yeas:

Mr. Speaker	Drake	Malone	Perloff
Adwell	Edington	Marr	Pruitt
Agee	Ellis	Mathews	Sessions
Bank	Garrett	McCorquodale	Slate
Beck	Grainger	McDonald	Smith
Berryman (W)	Grayson	McElhaney	Snell
Blanton	Hain	McLain	Springer
Bowers	Harris	Meade	Starnes
Brannan	Haygood	Melton	Steagall
Burgreen	Headley	Merrill	Stembridge
Cameron	Higginbotham	Money	Stubbs
Collier	Hobbie	Nettles	Tuck
Collins (C)	Holladay	Neville	Watkins
Collins (W)	Holman	Owen (Baldwin)	Williams
Cook (Coffee)	Jackson (T)	Owens (W)	Wood
Crawford	Jones	Paulk	Wright
Culver	Laxson	Pearson	Yeilding
Downing	Lemley	Pennington	—71

Nays:

Messrs.:				
Brassell	Brown	Burgess	Robertson	—4

And the bill:

H. 833. To amend Section 2 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt from ad valorem taxation all devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 83; Nay 1.

Yeas:

Mr. Speaker	Cook (Coffee)	Haygood	McElhaney
Adwell	Cook (Jefferson)	Headley	McLain
Agee	Crawford	Higginbotham	Meade
Bank	Culver	Hobbie	Melton
Bassett	Dill	Holladay	Merrill
Beck	Doss	Holman	Money
Berryman (W)	Downing	House	Nettles
Blanton	Drake	Jackson (T)	Neville
Bowers	Ellis	Jones	Owen (Baldwin)
Brannan	Fine	Kilgore	Owens (W)
Brassell	Gafford	Lemley	Paulk
Burgreen	Garrett	Lyons	Pearson
Cameron	Gloor	Malone	Pennington
Cherner	Grainger	Manley	Perloff
Collier	Hain	Marr	Pruitt
Collins (C)	Hardin	McCorquodale	Robertson
Collins (W)	Harris	McDonald	Sessions

Shumate	Springer	Tuck	Wood	
Slate	Starnes	Turnham	Wright	
Smith	Steagall	Waggoner	Yeilding	
Snell	Stembridge	Williams		—83

Nay: Mr. Grayson —1

And the bill:

H. 834. To amend Section 25 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, from the assessed value of the shares of any Alabama corporation for the purpose of taxation of such shares, of the assessed value of all devices, identifiable parts of devices, systems and facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Was taken up.

Messrs. McElhaney, Tuck, Burgreen, Berryman (W) and Edington offered the following substitute to the bill, H. 834:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 25 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, from the assessed value of the shares of any Alabama corporation for the purpose of taxation of such shares, of the assessed value of all devices, identifiable parts of devices, systems and facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 25 of Title 51 of the Code of Alabama of 1940, as heretofore amended, shall be and hereby is further amended to read as follows:

"Section 25. Assessment and Collection. Every share of any domestic corporation except: (1) financial institutions which comply with the provisions of this title as to excise taxes herein levied on such financial institutions (financial institutions within the meaning of this section and as expressly exempted from the provisions hereof are hereby defined as follows: Any corporation or any legal entity whatever doing business in this state as a bank, banking association, trust company, industrial or other loan company, building and loan association, and any other corporation or institution employing money capital coming into competition with the business of national banks); and except (2) insurance companies which are subject to the provisions of this title as to premium taxes herein levied on such insurance companies, and which shall be exempt from the tax assessed hereunder, shall be assessed and the taxes thereon collected in the county wherein such corporation has its home or chief office in the state, and shall be assessed at thirty percent of its value to the person in whose name such shares stand on the books of the corporation and not to the corporation. Provided, however, that in the event the excise tax levied by this title upon such financial institutions be declared unconstitutional, the tender to the department of revenue of such excise tax despite such unconstitutionality, shall be a bar to any demand, claim, levy or assessment of any ad valorem tax under this section. The president or managing

officer of every such corporation shall make out and return under oath to the tax assessor and to the department of revenue a list showing the total number of shares of capital stock of such corporation and the par value thereof, and the full name and residence of each stockholder, as far as known, the actual value thereof, the date of the last sale of shares of stock of such corporation, with the name of the seller and the purchaser and the price paid for same, and the annual dividend declared on the stock of such corporation, for the last three years, and the value of the shares as shown by the books of the corporation, and by the last report of the officers to the shareholders, and the amount of the surplus, and the amount of the undivided profits not included in the surplus, and such other information as may be required by the department of revenue. There shall be attached to the copy of the return made to the department of revenue a true balance sheet as shown by the books, showing the condition of such corporation at the close of its fiscal period next preceding October first of the year for which the assessment is to be made. Such corporations shall at the same time make a tax return sworn to by its president or manager, to the department of revenue and to the county tax assessor, on forms prescribed and furnished by the department of revenue, of all taxable property, real and personal, situated in the state and owned by such corporation, and the department of revenue after passing on the value of the shares of the capital stock shall fix the value of all the shares of said corporation and shall take thirty percent thereof which shall be the assessed value of the shares of said corporation. Whenever the department of revenue shall have passed on the valuation and assessment of the shares of any domestic corporation as herein provided, it shall give notice in writing by registered mail, return receipt demanded, to the president or managing officer or person signing the tax return of the corporation, or if no return has been made, then such notice to be addressed to any officer of the corporation against whose shares the assessment has been made, giving notice of the valuation and assessment, stating that on a day specified, it will determine any complaint against said valuation, which notice must be served at least ten days before the day specified for a final dtermination of the assessment. Upon hearing the complaint of protest against any valuation or assessment of the shares of the domestic corporation or if there has been no complaint or objection filed on or before the date specified in the notice for the determination of such matter, the department of revenue shall proceed to determine and fix the value of such shares and complete the assessment thereof. After the assessed value of all the shares has been passed on and determined, the department of revenue shall deduct from the total value of such shares (a) the assessed value of the real and personal property of the corporation as shown by such tax return by the corporation or finally determined. Provided, however, that should the assessed value of the real and personal property as shown by such tax return differ from the assessed value of the real and personal property as finally determined by the taxing authorities required to assess such property or in case of appeal, as finally determined by the court of last resort, the same shall not affect the assessed value of all of the shares of the corporation as fixed by the department of revenue. It being the meaning and intent of this section that the assessed value of all the shares of the corporation be fixed by the department of revenue and that there be deducted therefrom the correct assessed value of the real and personal property of the corporation when the same shall finally be determined. Provided, however, that if any property owned by a corporation which property is subject to taxation in this state is omitted from the tax return filed by said corporation, the same shall be assessed as an escape item or item of taxation in the same manner as escaped property of individuals and the value of such omitted property shall not be deducted from the value of the shares of stock of the corporation as assessed for taxation. If the aggregate assessed value of the shares does not exceed the aggregate assessed value of the real and personal property of the

corporation, then no tax shall be demanded or collected on the shares. Provided further that any corporation within the provisions of this section shall be entitled, for the purpose of arriving at the value of its shares for taxation, to have deducted from the value of its shares as fixed by the department of revenue the assessed value of property owned in other states or amount of assessment of property made by it in other counties of this state on the next preceding first day of October. (b) The book value of all devices, identifiable parts of devices, systems and facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution; and the value of residue remaining after deducting the assessed value of the real and personal property as finally determined and the assessed value of the aforesaid devices, parts, systems and facilities shall constitute the assessment against the shares of such corporation, and such residue divided by the whole number of shares which constitute the assessment for each share of taxation. The department of revenue and tax assessor shall have a right to demand and receive of said corporation a certified copy of assessment of any property outside of the State of Alabama sought to be deducted as above provided. It shall be no ground for objection to such assessment of shares that the same is entered upon the assessment book in the name of the corporation. Provided that no shareholder of any corporation which actually pays a tax on its franchise or intangible property shall be liable for the taxes specified in this section as to the same property. When the assessment of all the shares herein provided shall have been made final the department of revenue shall deliver the said final assessment to the tax assessor and shall send a copy to the president or managing officer of the corporation whose shares have been assessed."

Section 2. This Act shall become effective as of October 1, 1969.

And the substitute was adopted.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Dill	House	Pearson
Adwell	Doss	Jackson (T)	Pennington
Bank	Downing	Jones	Perloff
Bassett	Drake	Kilgore	Pruitt
Beck	Ellis	Lemley	Robertson
Berryman (W)	Fine	Lyons	Sessions
Blanton	Gafford	Malone	Slate
Bowers	Garrett	Manley	Smith
Brannan	Gloor	Marr	Snell
Brassell	Grainger	McDonald	Springer
Brown	Grayson	McElhaney	Starnes
Burgreen	Hain	Meade	Steagall
Cameron	Hardin	Melton	Stembridge
Cherner	Harris	Merrill	Tuck
Collier	Haygood	Money	Turnham
Collins (C)	Headley	Nettles	Waggoner
Collins (W)	Higginbotham	Neville	Watkins
Cook (Coffee)	Hobbie	Owen (Baldwin)	Williams
Cook (Jefferson)	Holladay	Owens (W)	Wright
Crawford	Holman	Paulk	Yeilding
Culver			

—81

And the bill, H. 834, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nay 1.

Yeas:

Mr. Speaker	Dill	Jackson (T)	Pearson
Adwell	Doss	Jones	Pennington
Agee	Downing	Kilgore	Perloff
Bank	Drake	Laxson	Pruitt
Bassett	Fine	Lemley	Robertson
Beck	Gafford	Lyons	Sessions
Blanton	Garrett	Malone	Shumate
Bowers	Gloor	Manley	Slate
Brannan	Grainger	Marr	Smith
Brassell	Grayson	McCorquodale	Snell
Brown	Hain	McDonald	Springer
Burgreen	Hardin	McElhaney	Starnes
Cameron	Harris	Meade	Steagall
Cherner	Haygood	Melton	Stembridge
Collier	Headley	Merrill	Tuck
Collins (C)	Higginbotham	Money	Turnham
Collins (W)	Hill	Nettles	Waggoner
Cook (Coffee)	Hobbie	Neville	Williams
Cook (Jefferson)	Holladay	Owen (Baldwin)	Wood
Crawford	Holman	Owens (W)	Wright
Culver	House	Paulk	Yeilding

—84

Nay: Mr. Stubbs —1

And the bill:

H. 835. To amend Section 33 of Act No. 100 enacted at the 1959 Second Special Session of the Legislature of Alabama, as heretofore amended, so as to exempt from the provisions of said Act, and from the computation of the amount of sales tax levied, assessed or payable thereunder, the gross proceeds from the sale of all devices, identifiable parts of devices, systems or facilities used or placed in operation in the State of Alabama, or intended for use or operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the gross proceeds from the sale of all materials used in the State of Alabama, or intended for use in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Cameron	Fine	Holman
Adwell	Cherner	Gafford	House
Agee	Collins (C)	Gloor	Jackson (T)
Bank	Collins (W)	Grainger	Jones
Bassett	Cook (Coffee)	Grayson	Kilgore
Beck	Cook (Jefferson)	Hain	Laxson
Berryman (W)	Crawford	Hardin	Lemley
Blanton	Culver	Harris	Lyons
Bowers	Dill	Haygood	Malone
Brannan	Doss	Headley	Manley
Brassell	Downing	Hill	Marr
Brown	Drake	Hobbie	McCorquodale
Burgreen	Ellis	Holladay	McDonald

McElhaney	Owens (W)	Shumate	Stubbs
Meade	Paulk	Slate	Tuck
Melton	Pearson	Smith	Turnham
Merrill	Pennington	Snell	Waggoner
Money	Perloff	Springer	Williams
Nettles	Pruitt	Starnes	Wood
Neville	Robertson	Steagall	Wright
Owen (Baldwin)	Sessions	Stembridge	Yeilding

—84

And the bill:

H. 836 (with substitute). To amend Section 402 of Title 51 of the Code of Alabama of 1940, as heretofore amended, to provide for the allowance of a deduction, for Alabama corporate income tax purposes, for all amounts invested in devices, parts of devices, systems or facilities used or placed in operation in the State of Alabama, or to be used or placed in operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, to provide for, in lieu of such deduction, the amortization of all such amounts over such period (not exceeding the useful life of the devices, parts, systems or facilities for which such amounts were expended) as shall be specified in the tax return respecting the taxable year during which such amounts were expended and for appropriate deductions of the amounts so amortized, to provide that the taking of any such deductions shall be optional with the taxpayer, to provide that any such deduction, if taken, shall be in lieu of any other allowance for depreciation or obsolescence with respect to such devices, parts, systems or facilities, and to provide that none of such deductions shall be subject to any apportionment or allocation otherwise required and that all thereof shall be allowed in full.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Ways and Means, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 402 of Title 51 of the Code of Alabama of 1940, as heretofore amended, to provide for the allowance of a deduction, for Alabama corporate income tax purposes, for all amounts invested in devices, parts of devices, systems or facilities used or placed in operation in the State of Alabama, or to be used or placed in operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, to provide for, in lieu of such deduction, the amortization of all such amounts over such period (not exceeding the useful life of the devices, parts, systems or facilities for which such amounts were expended) as shall be specified in the tax return respecting the taxable year during which such amounts were expended and for appropriate deductions of the amounts so amortized, to provide that the taking of any such deductions shall be optional with the taxpayer, to provide that any such deduction, if taken, shall be in lieu of any other allowance for depreciation or obsolescense with respect to such devices, parts, systems or facilities, and to provide that none of such deductions shall be subject to any apportionment or allocation otherwise required and that all thereof shall be allowed in full.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 402 of Title 51, Code of Alabama is hereby amended to read as follows:

"Section 402. In computing the net income of domestic corporations doing business in this state subject to the tax imposed by Section 398 of this title, there shall be allowed as deductions items described in the following numbered subsections of this section. In computing the net income of foreign corporations doing business in this state subject to the tax imposed by Section 398 of this title, there shall be allowed as deductions the items described in the following numbered subsections of this section, but only if, and to the extent that, such items are referable to or arise in connection with income of such corporations arising from sources within the State of Alabama; the proper apportionment and allocation of deductions of such foreign corporations with respect to the income arising from sources within and without the State of Alabama shall be determined under the rules and regulations prescribed by the department of revenue, provided, that in the case of foreign corporations doing business partly within and partly without Alabama where income is apportioned and allocated to Alabama the expense incurred by such corporation in connection with earning such income shall be apportioned to Alabama in such manner as shall fairly reflect the net income of the corporation attributable to its operations in Alabama, provided, however, that none of the deductions allowed by subsection 12 of this section shall be subject to any such apportionment or allocation and all thereof shall be allowed in full, any provisions thereof to the contrary notwithstanding. Subject to the limitations contained in the preceding sentence, there shall be allowed as deductions in computing the net income of corporations:

(1) All ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business including a reasonable allowance for salaries and other compensation for personal services actually rendered, and including rentals or other payments required to be made as a condition to the continued use or possession of property to which the corporation has not taken or is not taking title, or in which it has no equity.

(2) All interest paid or accrued within the taxable year on its indebtedness except on indebtedness incurred or continued to purchase or carry obligations or securities (other than obligations of the United States issued after September 24, 1917), the interest upon which is wholly exempt from taxation under this title as income to the taxpayer; in the case of a foreign corporation, the proportion of such interest which shall be deductible shall be a portion of such interest determined by the ratio the amount of its gross income from sources within the State of Alabama bears to the amount of its gross income from all sources both within and without the State of Alabama.

(3) Taxes paid or accrued within the taxable year (a) imposed by the authority of the United States, or (b) by authority of any of its possessions; (c) by the authority of any state or territory, or any county, school district, municipality, or other taxing subdivision of any state or territory not including income tax and not including those assessed for local benefits of a kind tending to increase the value of the property assessed but exclusing the income taxes levied and imposed under this title. In the case of a foreign corporation taxes paid or accrued within the taxable year imposed by the authority of the State of Alabama or any county, school district, municipality or any other taxing subdivision of the State of Alabama excluding the income taxes levied and imposed under this title and the amount of taxes other than income taxes imposed by other authorities mentioned in this subsection (3) which shall be deductible by such foreign corporations shall be determined by the ratio that the gross income of the foreign corporation from sources within the State of Alabama bears to its gross income from all sources both within and without the State of Alabama; the amount of federal income tax which shall be deductible by such foreign corporation shall be determined by the ratio that the net in-

come (as computed without any deduction for any applicable federal, state or local taxes on net income or any federal or state, or local taxes measured by net income) of the corporation on business done within Alabama bears to its net income (as computed without any deduction for any applicable federal, state or local taxes on net income or any federal or state, or local taxes measured by net income) from business done both within and without the State of Alabama.

(4) Losses sustained during the taxable year and not compensated for by insurance or otherwise.

(5) Losses from debts ascertained to be worthless and charged off during the taxable year of such ascertainment, if sustained in the conduct of the regular trade or business of the taxpayer during the period covered by an Alabama tax law.

(6) A reasonable allowance for the exhaustion, wear and tear of property used in the trade, or business, including a reasonable allowance for obsolescence.

(7) In the case of mines, oil and gas wells, other naturl deposits, and timber, a reasonable allowance for depletion and for depreciation of improvements, according to the peculiar conditions in each case, based upon the cost, including cost of development not otherwise deducted, such reasonable allowance in all cases to be made under rules and regulations to be prescribed by the department of revenue; in the case of leases the deductions allowed by this subsection shall be equitably apportioned between the lessor and the lessee.

(8) In the case of marine insurance companies, there shall be allowed amounts repaid to policyholders on account of premiums previously paid by them, and interest paid on such amounts between the ascertainment and the payment thereof.

(9) In the case of mutual insurance companies (other than mutual life or mutual marine insurance companies) requiring their members to make premium deposits to provide for losses and expenses, there shall be allowed the amount of premium deposits returned to their policyholders and the amount of premium deposits retained for the payment of losses, expenses and reinsurance reserves.

(10) Contributions or gifts made within the taxable year to recognized religious, charitable and scientific or educational institutions, or institutions for the prevention of cruelty to children or animals which are not operated for profit, and no part of the net earnings of which inures to the benefit of any private stockholder or individual, or contributions to the special fund for vocational rehabilitation authorized by section 7 of the United States Vocational Rehabilitation Act, the amount of such deduction not to be, however, in excess of five per centum of the taxpayer's net income as computed without the benefit of this subsection; such contributions or gifts shall be allowable as deductions only where made to institutions recognized as institutions for the above purposes under rules and regulations prescribed by the department of revenue.

(11) If contributions are paid by an employer to or under a stock bonus, pension, profit-sharing or annuity plan, or if compensation is paid or accrued on account of any employee under a plan deferring the receipt of such compensation, such contributions or compensation shall be deductible, but only to the extent permitted by the following lettered paragraphs of this subsection:

(A) In the taxable year when paid, if the contributions are paid into a pension trust, and if such taxable year ends within or with a taxable year of the trust for which the trust is exempt under section 392 of this title in an amount which shall be determined as follows:

(i) an amount not in excess of 5 per centum of the compensation otherwise paid or accrued during the taxable year to all the employees under the trust, but such amount may be reduced for future years if found by the department of revenue upon periodical examinations at not less than five-year intervals to be more than the amount reasonable necessary to provide the remaining unfunded cost of past and current service credits of all employees under the plan, plus

(ii) Any excess over the amount allowable under subparagraph (i) of this paragraph (A) necessary to provide with respect to all of the employees under the trust the remaining unfunded cost of their past and current service credits distributed as a level amount, or a level percentage of compensation, over the remaining future service of each such employee, as determined under regulations prescribed by the department of revenue, but if such remaining unfunded cost with respect to any three individuals is more than 50 per centum of such remaining unfunded cost, the amount of such unfunded cost attributable to such individuals shall be distributed over a period of at least 5 taxable years, or

(iii) in lieu of the amounts allowable under subparagraphs (i) and (ii) of this paragraph (A): an amount equal to the normal cost of the plan, as determined under regulations prescribed by the department of revenue, plus, if past service or other supplementary pension or annuity credits are provided by the plan, an amount not in excess of 10 per centum of the cost which would be required to completely fund or purchase such pension or annuity credits as of the date when they are included in the plan, as determined under regulations prescribed by the depatrment of revenue, except that in no case shall a deduction be allowed for an amount (other than the normal cost) paid in after such pension or annuity credits are completely funded or purchased.

(iv) Any amount paid in a taxable year in excess of the amount deductible in such year under the limitations set forth in sub-paragraphs (i), (ii) and (iii) of this paragraph (A) shall be deductible in the succeeding taxable years in order of time to the extent of the difference between the amount paid and deductible in each such succeeding year and the maximum amount deductible for such year in accordance with the limitations set forth in subparagraphs (i), (ii) and (iii) of this paragraph (A).

(B) In the taxable year when paid, in an amount determined in accordance with paragraph (A) of this subsection, if the contributions are paid toward the purchase of retirement annuities and such purchase is a part of a plan which meets the requirements of subsection (5) of Section 392 of this title, and if refunds of premiums, if any, are applied within the current taxable year or next succeeding taxable year towards the purchase of such retirement annuities.

(C) In the taxable year when paid, if the contributions are paid into a stock bonus or profit-sharing trust, and if such taxable year ends within or with a taxable year of the trust with respect to which the trust is exempt and subsection (5) of section 392 of this title, in an amount not in excess of 15 per centum of the compensation otherwise paid or accrued during the taxable year to all employees under the stock bonus or profit-sharing plan. If in the taxable year beginning after July 7, 1945, there is paid into the trust, or a similar trust then in effect, amounts less than the amounts deductible under the preceding sentence, the excess, or if no amount is paid, the amounts deductible shall be carried forward and be deductible when paid in the succeeding taxable years in order of time, by the amount so deductible under this sentence in any such succeeding taxable year shall not exceed 15 per centum of the compensation otherwise paid or accrued during such succeeding taxable year to the beneficiaries under the plan. In addition,

any amount paid into the trust in a taxable year beginning after July 7, 1945, in excess of the amount allowable with respect to such year under the preceding provisions of this paragraph (c) shall be deductible in the succeeding taxable years, in order of time, but the amount so deductible under this sentence in any one such succeeding taxable year together with the amount allowable under the first sentence of this paragraph shall not exceed 15 per centum of the compensation otherwise paid or accrued during such taxable year to the beneficiaries under the plan. The term "stock bonus or profit sharing trust," as used in this subparagraph, shall not include any trust designed to provide benefits upon retirement and covering a period of years, if under the plan amounts to be contributed by the employer can be determined actuarially as provided in paragraph (A) of this subsection. If the contributions are made to two or more stock bonus or profit-sharing trust, such trusts shall be considered a single trust for the purposes of applying the limitations in this subparagraph.

(D) In the taxable year when paid, if the plan is not one included in paragraphs (A), (B), or (C) of this subsection, if the employees' rights to or derived from such employer's contribution or such compensation are nonforfeitable at the time the contributions or compensation is paid.

(E) For the purposes of paragraphs (A), (B), and (C) of this subsection a taxpayer on the accrual basis shall be deemed to have made a payment on the last day of the year of accrual if the payment is on account of such taxable year and is made not later than the time prescribed by law for filing the return for such taxable year (including extensions thereof).

(F) If amounts are deductible under paragraphs (A) and (C), or (B) and (C), or (A), (B), and (C) of this section, in connection with two or more trusts, or one or more trusts and an annuity plan, the total amount deductible in a taxable year under such trusts and plans shall not exceed 25 per centum of the compensation otherwise paid or accrued during the taxable year to the persons who are the beneficiaries of the trusts or plans. In addition, any amount paid into such trusts or under such annuity plans in a taxable year beginning after July 7, 1945, in excess of the amount allowable with respect to such year under the preceding provisions of this paragraph shall be deductible in the succeeding taxable years in order of time, but the amount so deductible under this sentence in any one such succeeding taxable year together with the amount allowable under the first sentence of this paragraph shall not exceed 30 per centum of the compensation otherwise paid or accrued during such taxable years to the beneficiaries under the trusts or plans. This paragraph shall not have the effect of reducing the amount otherwise deductible under paragraphs (A), (B), and (C), if no employee is a beneficiary under more than one trust, or a trust and an annuity plan. If there is no plan but a method of employer contributions or compensation has the effect of a stock bonus, pension, profit-sharing, or annuity plan, or similar plan deferring the receipt of compensation, this subsection (11) shall apply as if there were such a plan.

(12) All amounts invested during the taxable year in devices, parts of devices, systems or facilities used or placed in operation in the State of Alabama, or to be used or placed in operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution; provided, however, that in lieu of deducting such amounts, the corporation may elect to amortize all such amounts over such period (not exceeding the useful life of devices, parts, systems or facilities for which such amounts were expended) as it specifies in its tax return respect-

ing the taxable year during which such amounts were expended, in which case it shall be entitled to appropriate deductions for the taxable years so specified; and provided further (a) that the taking of any deduction authorized by this subsection (12) shall be optional with the corporation; and (b) that if any such deduction is taken with respect to any such devices, parts of devices, systems or facilities, such corporation shall not be permitted any allowance for depreciation or obsolescence thereof otherwise allowable under this Section 402.

(13) The amounts received during taxable years beginning on or before December 31, 1968, as dividends from a corporation, or any subsidiary corporation of which the parent organization owns as much as fifty per cent of the capital stock, which is taxable under this title upon the net income of the parent corporation or the subsidiary; the amounts received after December 31, 1968, as dividends from a corporation or any subsidiary corporation which is taxable under this title (including liquidating dividends), whether received in cash or property or both, if at the time of the receipt of such dividends the corporation receiving such dividends is the owner of stock, in the corporation distributing such dividends: (a) possessing at least 50 per cent of the total combined voting power of all classes of stock entitled to vote and (b) constituting at least 50 per cent of the total number of shares of all classes of stock other than classes of stock which is limited and preferred as to dividends.

Section 2. If any provision or section of this Act be held unconstitutional, it is declared to be legislative intent that the Act shall be construed to be severable in its provisions and the remaining portions of the Act shall continue in force and effect.

Section 3. This Act shall take effect immediately upon its enactment and approval by the governor or upon its otherwise becoming a law and being given retroactive effect to December 31, 1968.

And the substitute was adopted.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Pennington
Adwell	Drake	Lemley	Perloff
Agee	Ellis	Lyons	Pruitt
Bank	Fine	Malone	Robertson
Bassett	Gafford	Manley	Sessions
Beck	Grainger	Marr	Shumate
Blanton	Grayson	McCorquodale	Smith
Bowers	Hain	McDonald	Snell
Brassell	Hardin	McElhaney	Springer
Brown	Harris	Meade	Starnes
Burgreen	Haygood	Melton	Steagall
Cameron	Higginbotham	Merrill	Stembridge
Collier	Hill	Money	Tuck
Collins (C)	Hobbie	Nettles	Turnham
Collins (W)	Holladay	Neville	Waggoner
Cook (Coffee)	Holman	Owen (Baldwin)	Watkins
Cook (Jefferson)	House	Owens (W)	Wood
Crawford	Jackson (T)	Paulk	Wright
Culver	Jones	Pearson	Yeilding
Dill			

—77

And the bill, H. 836, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Drake	Kilgore	Perloff
Adwell	Edington	Lemley	Pruitt
Agee	Ellis	Lyons	Robertson
Bank	Fine	Malone	Sessions
Bassett	Gafford	Manley	Shumate
Beck	Gloor	Marr	Slate
Blanton	Grainger	McCorquodale	Smith
Bowers	Grayson	McDonald	Snell
Brassell	Hain	McElhaney	Springer
Burgreen	Hardin	Meade	Starnes
Cameron	Harris	Melton	Steagall
Collier	Haygood	Merrill	Tuck
Collins (C)	Headley	Money	Turnham
Collins (W)	Higginbotham	Nettles	Waggoner
Cook (Coffee)	Hill	Neville	Watkins
Cook (Jefferson)	Hobbie	Owen (Baldwin)	Weeks
Crawford	Holladay	Owens (W)	Williams
Culver	Holman	Paulk	Wood
Dill	House	Pearson	Wright
Doss	Jackson (T)	Pennington	Yeilding
Downing	Jones		

—82

And the bill:

H. 837. To amend Section 789 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt, from the state use tax, the storage, use or consumption of any devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the storage, use or consumption of any materials used primarily for the protection of the public and the public interest through the control, reduction or elimination of air and water pollution.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Downing	Lemley	Pruitt
Adwell	Drake	Lyons	Robertson
Agee	Edington	Malone	Sessions
Bank	Ellis	Manley	Shumate
Bassett	Fine	Marr	Slate
Beck	Gafford	McCorquodale	Smith
Blanton	Grainger	McDonald	Snell
Bowers	Hain	McElhaney	Springer
Brassell	Hardin	Meade	Starnes
Brown	Harris	Melton	Steagall
Burgreen	Haygood	Merrill	Stembridge
Cameron	Headley	Money	Tuck
Collier	Higginbotham	Nettles	Turnham
Collins (C)	Hill	Neville	Waggoner
Collins (W)	Hobbie	Owen (Baldwin)	Watkins
Cook (Coffee)	Holladay	Owens (W)	Weeks
Cook (Jefferson)	Holman	Paulk	Williams
Crawford	House	Pearson	Wood
Culver	Jackson (T)	Pennington	Wright
Dill	Jones	Perloff	Yeilding
Doss	Kilgore		

—82

And the bill:

H. 838. To amend Section 348 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, for purposes of computing the franchise tax on foreign corporations, of all amounts invested in all devices, identifiable parts of devices, systems and facilities used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 77; Nays 3.

Yeas:

Mr. Speaker	Doss	Jones	Perloff
Adwell	Downing	Kilgore	Pruitt
Agee	Drake	Lyons	Sessions
Bank	Ellis	Malone	Shumate
Bassett	Gafford	Manley	Slate
Beck	Garrett	Marr	Smith
Blanton	Grainger	McCorquodale	Snell
Bowers	Hain	McDonald	Springer
Brassell	Hardin	McElhaney	Starnes
Brown	Harris	Meade	Steagall
Burgreen	Haygood	Melton	Stembridge
Cameron	Headley	Merrill	Tuck
Collier	Higginbotham	Money	Turnham
Collins (C)	Hill	Neville	Watkins
Collins (W)	Hobbie	Owen (Baldwin)	Weeks
Cook (Coffee)	Holladay	Owens (W)	Williams
Cook (Jefferson)	Holman	Paulk	Wood
Crawford	House	Pearson	Wright
Culver	Jackson (T)	Pennington	Yeilding
Dill			—77

Nays: Messrs. Fine, Lemley and Stubbs —3

MOTION TO ADJOURN LOST

The motion of Mr. Manley that the House adjourn until two o'clock P. M. Tuesday, August 26, 1969, was lost.

Yeas 39; Nays 44.

Yeas:

Mr. Speaker	Drake	Malone	Shumate
Agee	Fine	Manley	Snell
Beck	Gafford	Marr	Springer
Blanton	Gloor	McCorquodale	Steagall
Bowers	Grayson	Meade	Stembridge
Brassell	Hain	Melton	Tuck
Burgreen	Hardin	Merrill	Weeks
Collins (W)	Headley	Paulk	Williams
Cook (Coffee)	Higginbotham	Perloff	Wood
Crawford	Kilgore	Pruitt	—39

Nays:

Messrs.:	Garrett	Lyons	Robertson
Brown	Graham	McDonald	Sessions
Cameron	Grainger	McElhaney	Slate
Cherner	Harris	McLain	Smith
Collier	Hill	Meeks	Starnes
Collins (C)	Hobbie	Money	Stubbs
Cook (Jefferson)	Holman	Nettles	Turnham
Culver	House	Neville	Waggoner
Dill	Jackson (T)	Owens (W)	Watkins
Doss	Jones	Pearson	Wright
Downing	Lemley	Pennington	Yeilding
Edington			

—44

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named, and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:55 p. m. on August 21, 1969.

H. 414

H. 879

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Torbert:

S. 521. To amend Section 402 of Title 51 of the Code of Alabama of 1940, as heretofore amended, to provide for the allowance of a deduction, for Alabama corporate income tax purposes, for all amounts invested in devices, parts of devices, systems or facilities used or placed in operation in the State of Alabama, or to be used or placed in operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, to provide for, in lieu of such deduction, the amortization of all such amounts over such period (not exceeding the useful life of the devices, parts, systems or facilities for which such amounts were expended) as shall be specified in the tax return respecting the taxable year during which such amounts were expended and for appropriate deductions of the amounts so amortized, to provide that the taking of any such deductions shall be optional with the taxpayer, to provide that any such deduction, if taken, shall be in lieu of any other allowance for depreciation or obsolescence with respect to such devices, parts, systems or facilities, and to provide that none of such deductions shall be subject to any apportionment or allocation otherwise required and that all thereof shall be allowed in full.

Also:

By Mr. Torbert:

S. 522. To amend Section 2 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt from ad valorem taxa-

tion all devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Also:

By Mr. Torbert:

S. 523. To amend Section 348 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, for purposes of computing the franchise tax on foreign corporations, of all amounts invested in all devices, identifiable parts of devices, systems and facilities used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Also:

By Mr. Torbert:

S. 524. To amend Section 33 of Act No. 100 enacted at the 1959 Second Special Session of the Legislature of Alabama, as heretofore amended, so as to exempt from the provisions of said Act, and from the computation of the amount of sales levied, assessed or payable thereunder, the gross proceeds from the sale of all devices, identifiable parts of devices, systems or facilities used or placed in operation in the State of Alabama, or intended for use or operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the gross proceeds from the sale of all materials used in the State of Alabama, or intended for use in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Also:

By Mr. Torbert:

S. 525. To amend Section 25 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, from the assessed value of the shares of any Alabama corporation for the purpose of taxation of such shares, of the assessed value of all devices, identifiable parts of devices, systems and facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Also:

By Mr. Torbert:

S. 526. To amend Section 789 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt, from the state use tax, the storage, use or consumption of any devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the storage, use or consumption of any materials used primarily for the protection of the public and the public interest through the control, reduction or elimination of air and water pollution.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 521. Ways and Means.

S. 522. Ways and Means.

S. 523. Ways and Means.

S. 524. Ways and Means.

S. 525. Ways and Means.

S. 526. Ways and Means.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Skidmore:

S. B. 898. To amend Act No. 65, S. 97, of the Extra Session of 1936 (General and Local Acts, 1936, Local Acts Section, p. 34), which provides a fund for the support of a law library for the Circuit Court of Tuscaloosa County, so as to increase the trial taxes levied thereby and regulate further the expenditure of such fund.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 65, S. 97, of the Extra Session of 1936 (General and Local Acts, 1936, Local Acts Section, p. 34), which provides a fund for the support of a law library for the Circuit Court of Tuscaloosa County, so as to increase the trial taxes levied thereby and regulate further the expenditure of such fund.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 65, S. 97 of the Extra Session of 1936 (General and Local Acts, 1936, Local Acts Section p. 34) which provides a fund for the support of a law library for the Circuit Court of Tuscaloosa County, is amended to read as follows:

"Section 1. In all civil, quasi civil, criminal, quasi criminal and equity actions, suits, cases and proceedings hereafter filed in or brought by appeal, certiorari or otherwise to the Circuit Court of Tuscaloosa County, Alabama, there shall be taxed as costs the sum of Three Dol-

lars in each and every action, case, suit and proceeding therein, to be collected as other costs are collected and to be paid to and disbursed by the Clerk of the Circuit Court of Tuscaloosa County, Alabama; provided that in cases appealed from Recorders Courts and in divorce cases where no alimony is awarded and in all civil and equity suits and proceedings where the amount of moneyed judgment or decree including court costs, is for less than Two Hundred Dollars only Two Dollars shall be collected, and in any ancillary proceedings resulting from prior procedure in said Court only One Dollar shall be collected. The sums so collected shall be expended by the clerk of the Circuit Court of Tuscaloosa County by orders of the Presiding judge of such court, for maintaining a Law Library for such Circuit Court and shall be expended only for the employment of, and salary for, a person or persons to act as librarian, for buying law books, furniture and equipment and for other necessary maintenance for the Law Library of the Circuit Court of Tuscaloosa County."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF TUSCALOOSA

Before me, the undersigned authority in and for said County in said State, this day personally appeared Karl S. Elebash, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Publisher of the Graphic, a newspaper of general circulation published in Tuscaloosa County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 25, Aug. 1, Aug. 18, and Aug. 15, all in the year 1969.

KARL S. ELEBASH, JR.

Sworn to and subscribed before me Aug. 15, 1969.

LULLENE DuBOSE,
Notary Public.

Also:

By Mr. Giles:

S. B. 902. To provide for the manner and procedure for the election of members and the chairman, president or presiding judge of boards of county commissioners, boards of revenue or like governing bodies in counties having a population of not less than 115,000 nor more than 165,000 according to the last federal decennial census and providing for their term of office and the time of their election.

Also:

By Mr. Giles:

S. B. 903. To amend Section 3 of Act 324, Acts of Legislature, Regular Session 1923, as said act was amended by Act 469, Acts of Legislature, Regular Session 1931, by re-defining the boundaries of the five districts of Madison County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

LEGAL NOTICE

STATE OF ALABAMA
MADISON COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 3 of Act 324, Acts of Legislature, Regular Session 1923, as said act was amended by Act 469, Acts of Legislature, Regular Session 1931, by redefining the boundaries of the five districts of Madison County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 3 of Act 324, Acts of Legislature, Regular Session 1923 approved September 24, 1923 as said act was amended by Act 469, Acts of Legislature, Regular Session 1931, approved July 20, 1931, be and the same is hereby amended to read as follows: "Section 3. That for the purpose of this act and the enforcement thereof, the said County of Madison is hereby divided into five subdivisions, to be known as Districts, and numbered respectively, from one to five, both inclusive. District number one shall embrace and be composed of all that territory now constituting beats or precincts numbered 2, 11, 12, 17 and 23 and known respectively as New Market, Meridianville, Hazel Green, Plevna and Sulphur Springs. District number two shall embrace and be composed of all that territory now constituting beats or precincts numbered 3, 15, 16, 20, 22 and 26 and known respectively as Maysville, Gurley, Deposit, Rock Cut, Hurricane and Ryland. District number three shall embrace and be composed of all that territory now constituting beats or precincts numbered 4, 6, 13, 18, 19 and 25 and known respectively as Colliers, Whitesburg, Poplar Ridge, Elon, Owens Cross Roads Districts One and Two and New Hope Districts One and Two. Districts number four shall embrace and be composed of all that territory now constituting beats or preceincts numbered 9, 10, 21 and 27 and known respectively as Harvest, Madison Cross Roads, Monrovia and Bobo. District number five shall embrace and be composed of all that territory now constituting beats or precincts numbered 1, 7, 8 and 14 and known respectively as Huntsville, Triana districts one and two, Madison and Dug Hill."

Section 2. All laws, or parts of laws, local, general or special, in conflict with this act are hereby repealed.

Section 3. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

STATE OF ALABAMA
MADISON COUNTY

Before me, Opal H. Dilworth, a Notary Public in and for said State and County, personally appeared W. C. Lewis, known to me, who being by me first duly sworn, deposes and says he is Secretary-Treasurer of The Huntsville Times, a newspaper published and printed at Huntsville,

Madison County, Alabama, and that the attached legal notice was published in said newspaper on August 2, 7, 12, and 18, 1969.

W. C. LEWIS,
Secretary-Treasurer.

Sworn to and subscribed before me this the 18 day of August, 1969.

OPAL H. DILWORTH,
Notary Public.

My commission expires April 10, 1971.

Also:

By Mr. Jackson:

S. B. 905. To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BALDWIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of Baldwin County shall be entitled to receive annual salaries in lieu of any fees, commissions, percentages, and allowances, except as herein otherwise provided:

The Judge of Probate shall receive an annual salary of $20,000, which shall include his compensation for all ex officio duties.

The sheriff shall receive an annual salary of $20,000.

The Clerk of the Circuit Court shall receive an annual salary of $10,000, which shall include his compensation for all ex officio duties.

The register of the Circuit Court shall receive an annual salary of $10,000.

Section 2. The Court of County Commissioners, board of revenue, or other like governing body of Baldwin County, shall provide compensation for clerks, deputies, assistants, and secretaries for the officers enumerated in this Act in such number as may be reasonably necessary for the efficient conduct of their respective offices. Each of the officers enumerated in Section 1 of this Act shall select, discharge, and fix the salaries of his subordinates. However, the maximum allowances for clerk hire and salaries for assistants for each of such officers shall be as follows:

For the Probate Judge, the sum of $35,000 per annum:

For the Sheriff, the sum of $18,000 excluding salaries for deputy sheriffs.

For the clerk of the Circuit Court, the sum of $8,000 per annum.

In addition, the Probate Judge shall be entitled to ten cents per mile for each mile traveled on the annual visits to the precincts in October and November of each year; also the sheriff shall be entitled to the allowances payable by the state for feeding the prisoners and also such mileage and expense allowances as may be payable according to law for returning or transferring prisoners and insane persons to or from points outside the county.

Section 3. The fees, commissions, percentages, allowances, charges, and court costs heretofore collectible for the use of any of the officers named in Section 1, shall be paid into the general fund of the county. The compensation of the officers named in Section 1, and of their clerks, deputies, secretaries and other assistants shall be paid in equal monthly installments from the general fund of the county.

Section 4. The court of county commissioners, board of revenue, or other like governing body of Baldwin County shall provide the officers named in this act with the books, stationery, office equipment, supplies, postage, and other conveniences necessary for the proper and efficient conduct of the affairs of their respective offices; and shall allow the sheriff such an amount as may be necessary to pay the expenses of operation of his office, including travel expenses.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This Act shall supersede Act No. 357, H. 707, Regular Session 1963 (Acts 1963, p. 857), and all other laws or parts of laws in conflict herewith.

Section 7. This Act shall take effect on the expiration of the current term of office of each of the officers who are affected thereby.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jimmy Faulkner, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Baldwin Times, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 3, July 10, July 17, and July 24, all in the year 1969.

JIMMY FAULKNER, JR.

Sworn to and subscribed before me August 9, 1969.

DOROTHY MARTIN,
Notary Public.

Also:

By Mr. Jackson:

S. B. 906. To fix the compensation of the Judge of Probate of Baldwin County, provide the method of payment thereof, provide for compensation of clerical assistants and the payment of their salaries, and provide for the operation of the office of the Judge of Probate of Baldwin County, Alabama.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
COUNTY OF BALDWIN

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To fix the compensation of the Judge of Probate of Baldwin County, provide the method of payment thereof, provide for compensation of clerical assistants and the payment of their salaries, and provide for the operation of the office of the Judge of Probate of Baldwin County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. The Judge of Probate of Baldwin County, Alabama, shall be entitled to receive in lieu of any fees, commissions, percentages, and allowances, an annual salary of $20,000.00, which shall include his compensation for all ex-officio duties.

Section 2. The Court of County Commissioners, Board of Revenue or other like governing body of Baldwin County, shall provide compensation for clerks, assistants, and secretaries for the Judge of Probate in such number as may be reasonably necessary for the efficient conduct of the office of Judge of Probate. The Judge of Probate shall select, discharge, and fix the salaries of, his subordinates; provided, however, the maximum allowance for such clerk hire and assistants shall not exceed the sum of $35,000.00 per annum.

Section 3. The fees, commissions, percentages, allowances, charges and court costs heretofore collectible for the use of the Judge of Probate shall be paid into the general fund of Baldwin County, from which fund the aforementioned salary of the Judge of Probate and his assistants shall be paid by the County.

Section 4. The Court of County Commissioners, Board of Revenue, or other like governing body shall provide the Judge of Probate with the books, stationery, office equipment, supplies, postage, and other conveniences necessary for the proper and efficient conduct of the affairs of the office of the Judge of Probate.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not effect the part which remains.

Section 6. This Act shall supersede Act No. 818, H 1090, Regular Session 1965 (Acts 1965, p. 1530), and all other laws or parts of laws in conflict herewith, insofar as they relate to the office of the Judge of Probate of Baldwin County, Alabama, or the operation thereof.

Section 7. This Act shall take effect on the expiration of the current term of office of the Judge of Probate of Baldwin County, Alabama.

PROOF OF PUBLICATION

STATE OF ALABAMA
COUNTY OF BALDWIN

Before me, the undersigned authority in and for said County in said State, this day personally appeared Jimmy Faulkner, Jr., who, being by me first duly sworn, deposes and says that during the times herein mentioned he was Editor of the Baldwin Times, a newspaper of general circulation published in Baldwin County, Alabama, and that the attached notice was published in said newspaper once a week for four successive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on July 24, July 31, August 7, and August 14, all in the year 1969.

JIMMY FAULKNER, JR.

Sworn to and subscribed before me August 18th, 1969.

DOROTHY MARTIN,
Notary Public.

Also:

By Mr. Branyon:

S. B. 907. Relating to counties having populations of not less than 15,500 nor more than 16,300; to provide for the election and qualifications of members of the board of revenue, court of county commissioners, or other like governing body of any such county.

Also:

By Mr. McCarley:

S. B. 900. Relating to Shelby County; authorizing any bank situated within the county to open, establish, operate and maintain branch banks, branch offices or other places of business within a certain area within said county.

With notice and proof thereto attached and herewith exhibited as follows:

STATE OF ALABAMA
SHELBY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

AN ACT

Relating to Shelby County; authorizing any bank situated within the county to open, establish, operate and maintain a branch bank, a branch office or other place of business with a certain area within said county.

Be It Enacted by the Legislature of Alabama:

Section 1. When permitted by its charter and bylaws, and approved by the State Banking Department, any bank situated in Shelby County shall be authorized to open, establish, operate and maintain a branch bank, branch office or other place of business for the receipt of

deposits, payment of checks and conducting a general banking business within the following described area in Shelby County, Alabama, to-wit: said area being bounded on the south by County Highway No. 11; on the east by a line running parallel to and one-half mile east of U.S. Highway No. 280 as the same will be located when the present construction thereon is completed; on the north by the Jefferson County line; and on the west by a line running parallel to and one-half mile west of U. S. Highway No. 31; provided, however, no branch bank shall be established within 5 miles of any presently established bank.

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Judge of Probate, in and for said county, Mildred White Wallace, who being duly sworn according to law deposes and says that she is the Associate Editor of the SHELBY COUNTY REPORTER a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: July 24, 31/69, Aug. 7, 14/69.

MILDRED WALLACE,
Associate Editor.

Subscribed and sworn to before me this 15 day of Aug. 1969.

CONRAD M. FOWLER,
Judge of Probate.

Also:

By Mr. Branyon:

S. B. 908. Relating to counties having populations of not less than 13,700 nor more than 14,300; to provide for the election and qualifications of members of the board of revenue, court of county commissioners, or other like governing body of any such county.

Also:

By Mr. O'Bannon:

S. 911. Relating to the 31st Judicial Circuit; to provide supplemental compensation for circuit judges and the district attorney of such circuit in lieu of any and all other salary supplements heretofore authorized, so as to provide further for such compensation.

Also:

By Mr. Stone:

S. B. 910. To amend Act No. 505, Section 453 of the Regular Session of 1963 (Acts, 1963, page 1087), which establishes and provides for the operation of the Cherokee County Court, amending Section 8, 12 and 14 of such Act, so as to transfer certain jurisdiction relative to juveniles from the probate court of Cherokee County to the Cherokee County Court, to provide further for the compensation of the judge.

With notice and proof thereto attached and herewith exhibited as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 505, S. 453 of the Regular Session of 1963 (Acts 1963, p. 1087), which establishes and provides for the operation of the Cherokee County Court, amending Sections 8, 12 and 14 of such Act, so as to transfer certain jurisdiction relative to juveniles from the probate court of Cherokee County to the Cherokee County Court, to provide further for the compensation of the judge.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 8, 12 and 14 of Act No. 505, s. 453 of the Regular Session of 1963 (Acts, 1963, p. 1087) which establishes and provides for the operation of such court, are hereby amended to read as follows:

"Section 8. The county governing body is hereby authorized to purchase all necessary furnishings, records, stationery and supplies for the equipment and maintenance of said court, and the same shall be paid for out of the county treasury.

"Section 12. The Cherokee County Court shall have and exercise the following jurisdiction, authority and powers:

"(a) Exclusive jurisdiction of all causes against persons charged with the commission of a misdemeanor. On all indictments returned by grand juries of Cherokee County, Alabama, against persons charged with a misdemeanor, the clerk of this court shall issue capiases returnable to this court.

"(b) Exclusive jurisdcition of all criminal cases appealed from the court of any mayor, recorder, justice of the peace or notary public ex officio justice of the peace.

"(c) Exclusive jurisdiction of all civil cases appealed from the court of any justice of the peace or notary public ex officio justice of the peace.

"(d) Unlimited jurisdiction concurrent with the circuit court of Cherokee County, Alabama, in all civil cases, where the amount involved does not exceed ten thousand dollars.

"(e) it shall have power to issue any and all special and extraordinary writes that circuit courts or judges thereof are authorized to issue, except such as are peculiar to a court of chancery.

"(f) It may exercise all other powers and authority that are, or that may hereafter be conferred upon the circuit courts or the judges thereof, including the power to punish for contempt, consistent with the jurisdiction conferred hereby.

"(g) Unlimited concurrent jurisdiction of all causes that are conferred upon justice of the peace courts of the state under the general laws of the State of Alabama.

"(h) Exclusive jurisdiction over children, and the judge of the Cherokee County Court, which is hereby transfered from the probate court to the Cherokee County Court, shall be the judge of the juvenile court; it being the intention to confer complete, full, unlimited and exclusive jurisdiction upon the Cherokee County Court of all juvenile matters and juvenile jurisdiction in Cherokee County, as now provided under Code of Alabama 1940, Title 13, Chapter 7, Sections 350 to 383, both inclusive, as heretofore or hereafter amended. Appeals in such cases shall be as provided by law.

"(i Exclusive and original jurisdiction of all cases arising under Code of Alabama 1940, Title 34, Article 3, Sections 89 to 104, both inclusive, as heretofore or hereafter amended, which title is entitled 'Desertion and Non-Support.' The trial of such cases shall be by the court without a jury and appeals in such cases shall be as provided by law.

"Section 14. The judge of this court shall receive a salary of $8,400 per year. Such salary shall be payable in equal monthly installments at the end of each month out of the county treasury."

Section 2. This Act shall become effective on the first Monday after the second Tuesday in January 1971.

STATE OF ALABAMA
COUNTY OF CHEROKEE

Before me, Dot Johnson a Notary Public in and for said county in said state personally appeared Joe Shaw, Jr. who, being by me first duly sworn, deposes and says that he is publisher of the Cherokee County Herald, a newspaper published in the City of Centre, Alabama, in Cherokee County, Alabama; that the attached is a true, correct and complete copy of Public Notice as published in said newspaper once a week for four consecutive weeks, beginning on the 30th day of July, 1969, that said newspaper has been so published in said town for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication and has a general circulation in said city and county; and that said newspaper has been entered as second class mail matter in the United States Post Office in said city for a period of more than fifty-two (52) consecutive weeks prior to the date of said publication.

JOE SHAW, JR.

Sworn to and subscribed before me this 19th day of August, 1969.

DOT JOHNSON,
Notary Public.
Alabama State at Large

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 898. Local Legislation No. 1.
S. 902. Local Legislation No. 4.
S. 903. Local Legislation No. 4.
S. 905. Local Legislation No. 1.
S. 906. Local Legislation No. 1.
S. 907. Local Legislation No. 1.
S. 900. Local Legislation No. 1.
S. 908. Local Legislation No. 1.
S. 911. Local Legislation No. 1.
S. 910. Local Legislation No. 1.

At the direction of the Speaker, the following Message from the Governor is included in the Journal of the House:

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted

ROBERT M. CLECKLER
Executive Secretary

AUGUST 21, 1969

MESSAGE FROM THE GOVERNOR

To Members of The House of Representatives:
State Capitol
Montgomery, Alabama

Gentlemen:

As this Session rapidly draws to a close I should like to call your attention to Senate Bill 774 which is now pending in the House. This bill offers, for the first time in our lives, an opportunity to provide desperately needed consumer protection for the people of Alabama.

The bill includes the following major protections or protective devices for the people of this State:

1. For the first time in Alabama credit sales or the amount of the so-called time-price differential is regulated.

2. Maximum rates or ceilings are prescribed for all loans and credit sales.

3. So-called extra charges, such as finance charges, investigation fees and the like, are included within the maximum amount which the creditor may charge.

4. Revolving credit is regulated.

5. Default or late charges are regulated.

6. Repayment of a loan or sale is extended or deferred—The amount charged for this privilege is regulated.

7. Where the debtor prepays the debt, the creditor must give a refund of a proportionate part of the finance charge.

8. The defense of a holder in due course is eliminated in a consumer credit sale or consumer lease, and the creditor is prohibited from taking a negotiable instrument as evidence of the debt. The debtor can then assert his defenses against the seller-creditor or subsequent assignees for defects in the goods.

9. If a balloon note is used, the buyer has the option of extending the due date without penalty and on terms no less favorable than the original transaction.

10. Attorneys' fees are strictly regulated. On amounts not exceeding $300 the creditor and not the debtor must pay them, and on amounts in excess they may not exceed 15% and may not be required to be paid to an attorney who is a salaried employee of the creditor.

11. Default judgments are regulated and the suit must be abated unless the creditor files an affidavit stating that no provision of the Act has been violated and that the debtor, if an Alabama resident, is a resident of the county in which suit is filed.

12. Home solicitation sales are strictly regulated. The seller must deliver to the buyer a written form spelling out the buyer's right to cancel the sale within three (3) business days. During that period the buyer is not an insurer of the goods. If the buyer cancels, the seller must deliver any trade-in or its dollar equivalent to the buyer. If the seller does not then demand possession of the goods sold within forty (40) days after he receives notice of cancellation, the goods belong to the buyer. In specific emergency situations the buyer can waive these rights, but printed forms may not be used for this purpose.

13. Deficiency judgments are prohibited where the creditor repossesses or accepts the collateral when the original transaction involved a thousand dollars or less.

14. Tie-in sales, i.e. offering rebates or discounts to a buyer if he will furnish other purchasers, are prohibited.

15. Garnishment is further restricted. Garnishment may not issue before judgment, and the amount subject to garnishment is substantially reduced.

16. If the court, in a consumer sale or lease, finds an unconscionable provision, the court may refuse to enforce the agreement or that portion thereof found to be unconscionable.

17. Splitting the debt into two transactions or into transactions involving family, so as to obtain a higher finance charge is prohibited. Similarly, the creditor is prohibited from inducing the debtor to become obligated to another creditor in which he has financial interest or with whom he has some arrangement about exchanging customers.

18. The term or period of time of the debt is regulated and restricted so that the creditor may not extend the term and charge oppressive rates.

19. Substantial new penalties are added to Alabama law if a finance charge is in excess of that permitted by the Act. The creditor must refund the entire amount of the finance charge to the debtor. If after demand the debtor does not receive a refund, the debtor may recover twice the finance charge or ten times the amount of the excess, whichever is greater, but never less than a hundred dollars, plus his own attorney's fee. For deliberate or reckless overcharge, the transaction is void and the creditor forfeits principal together with finance charge.

20. The amount and type of insurance are regulated and the debtor has the right to provide his own insurance, and may not be forced to buy from an affiliate of the creditor. All premiums must be reasonable. Upon prepayment, or refinancing, unearned premiums must be refunded.

21. For the first time, the Superintendent of Banks is empowered to enforce and administer the Act. All creditors not already regulated must obtain a license. Prespective creditors must pay a fee and show financial responsibility, as well as character and fitness. Annual license fees are prescribed and may not be transferred or moved to another location without approval of the Superintendent.

22. The Superintendent may examine all records, and those records must be retained for at least two years. The creditor pays the expense of the examination.

23. The Superintendent can issue cease and desist orders, obtain injunctions, and revoke and suspend licenses.

I realize that some questions may exist in your minds about amendments to particular Sections. Perhaps the legislation does need modifying in some respects. I am certain that your collective judgment can dissolve any differences which might exist on any particular aspect of this legislation.

As this unique opportunity to do something meaningful for the people of Alabama is before you, I respectfully urge your prompt consideration and favorable action on this legislation.

Respectfully submitted,

ALBERT P. BREWER
Governor

August 21, 1969

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Harris, Clark, McDermott, Pierce and Skidmore:

S. 4. Concerning the acquisition of control of a domestic insurance company and certain transactions, dividends and distributions between insurance companies and their affiliates and to provide penalties for the violation thereof.

Also:

By Mr. Goodwyn:

S. 121. To Repeal Title 15, Section 136, Code of Alabama, 1940, as amended.

Also:

By Mr. Vacca:

S. 394. To amend Act No. 566, Regular Session 1959 (Acts 1959, p. 1424) relating to frauds concerning checks, drafts, or orders by removing the ten day limitation for proof of payment to overcome the presumption of fraud raised by refusal by the drawee.

Also:

By Mr. Goodwyn:

S. 120. To Repeal Title 15, Section 137, Code of Alabama, 1940, as amended.

Also:

By Mr. Goodwyn:

S. 122. To Repeal Title 15, Section 135, Code of Alabama, 1940, as amended.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 4. Health.

S. 121. Judiciary.

S. 394. Judiciary.

S. 120. Judiciary.

S. 122. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 534. To provide for the supervision, management, development, and control of certain State-owned islands in the waters of Alabama.

Also:

H. 861. To amend Act No. 126 adopted at the Second Special Session of 1959 of the Legislature of Alabama so as to amend Section 9 thereof specifying certain changes in the details pertaining to the bonds issued under the provisions of the said act.

Also:

H. 889. To make an annual appropriation, out of moneys derived from the excise tax known as the use tax and required to be paid into the Alabama Special Educational Trust Fund, for the education and training of exceptional children, including the administration, maintenance and operation of classrooms and classes and payment of teachers for such classes; and to repeal Section 3 of Act No. 105 adopted at the Second Special Session of 1963 of the Legislature and Section 3 of Act No. 67 adopted at the Regular Session of 1963 of the Legislature.

Also:

H. 862. To amend Act No. 243 adopted at the Special Session of 1965 of the Legislature of Alabama so as to amend Section 9 thereof specifying certain changes in the details pertaining to the bonds issued by Alabama Public School and College Authority under the provisions of the said act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1107. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate funds of the county to the Lurleen B. Wallace Memorial Cancer Hospital Fund, Inc.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Albea:

S. 472. To amend Section 17 of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions, registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration, term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered, establishing exemptions from numbering provisions, requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

Also:

By Mr. Albea:

S. 473. To amend Section 3 (1) of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, as amended by Act No. 878, Acts of Alabama 1961, page 1377, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

Also:

By Mr. Albea:

S. 474. To amend Section 6 (1) of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, as amended by Act No. 878, Acts of Alabama 1961, page 1377, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

Also:

By Mr. Goodwyn:

S. 712. To provide that any estate in real property may be acquired and held in the name of a partnership or joint venture, to specify the manner in which any estate in real property so acquired and held may be conveyed, and to define certain terms as used herein.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 472. Conservation.

S. 473. Conservation.

S. 474. Conservation.

S. 712. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. McDermott:

S. 165. To amend Section 336 of Title 37 of the Alabama Code (1940) which section relates to waterworks, sewer, gas and electric Revenue Bonds.

Also:

By Mr. O'Bannon:

S. 489. To require all dealers of scrap metal to obtain a sworn affidavit from the seller prior to the purchase of any copper or copper alloy metal and lead and lead products in all counties having a population of less than 150,000 according to the last or any subsequent federal census.

Also:

By Mr. McDermott:

S. 166. To amend Section 7 of Act No. 775 enacted at the 1951 Regular Session of the Legislature of Alabama; which Act relates to Boards of Water and Sewer Commissioners.

Also:

By Mr. Skidmore:

S. 549. Defining, regulating, and providing for the licensing of employment agencies; providing for the revocation and suspension of licenses subject to appeal; providing for the creation of an Employment Agency Board and the appointment of members thereof and the terms of such members; providing and defining the powers and duties of such Board to enforce and administer this act; prescribing penalties.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 165. Local Government.

S. 489. Judiciary.

S. 166. Local Government.

S. 549. Business and Labor.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Nabors, Radney and Albea:

S. 747. To authorize Alabama Trade School and Junior College Authority to sell and issue additional bonds for the construction, reconstruction, improvement, alteration, or equipping of junior colleges and trade schools; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this Act shall not create an obligation or debt of the State and shall be limited obligations payable solely from the revenues of said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this Act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds

of the State and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to direct the State Treasurer to pay the principal of and interest on said bonds out of the funds so appropriated and pledged; to provide that any portion of this Act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this Act.

Also:

By Messrs. Branyon and Givhan:

S. 620. Relating to taxation; further defining terms used in administering state sales and use tax laws with respect to commercial fish feed.

Also:

By Mr. Goodwyn:

S. 646. Relating to fees of justices of the peace; amending Code of Alabama 1940, Title 11, Sections 38 and 96, and Title 13, Sections 418 and 496, Forms 12 and 13, in order to prescribe different fees for justices of the peace in civil cases and certain other proceedings and to provide, in lieu of justices' fees in criminal cases, for the collection by justices of the peace of a fixed charge per case in all criminal cases, all of which must be remitted to the state, and for the payment by the state of compensation to justices of the peace for all their services pertaining to criminal cases tried in their respective courts on the basis of their case loads.

Also:

By Mr. Torbert:

S. 845. To amend Section 606, Title 51, Code of Alabama, 1940, relating to privilege licenses.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 747. Judiciary.

S. 620. Ways and Means.

S. 646. State Administration.

S. 845. State Administration.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Turner:

S. 842. To make an appropriation to the office of the Attorney General and to provide for special investigators, clerical assistants, equipment, travel and other necessary expenses.

Also:

By Messrs. Branyon, Givhan, Harris, Lolley, Gilmore:

S. 195. To amend further Code of Alabama, Title 22, Chapter 7, which is known as the Milk Control Board Law, so as to require the Milk Control Board to make, reduce to writing, and record in its minutes a finding of fact on which its orders are based, prior to the issuance of such orders.

Also:

By Messrs. Branyon, Givhan, Harris, Lolley and Gilmore:

S. 197. To amend further Code of Alabama 1940, Title 22, Section 206, as amended, which pertains to "DEFINITIONS," so as to provide for the further defining of Bulk Milk Tank Driver and Bulk Milk Tank Hauler.

Also:

By Mr. Harris:

S. 514. To prohibit any person, firm or corporation from operating or conducting any motor vehicle race or exhibitions on any permanent racetrack or other place where races or exhibitions are held unless there shall first be obtained a license as set forth herein; to provide certain requirements for licensing; to provide for fees; to authorize the Director of the Department of Public Safety to grant, revoke or suspend any such licenses; to provide penalties for violation of this Act; to provide an effective date; to repeal conflicting laws; and for other purposes.

Also:

By Mr. Engel:

S. 251. To authorize the creation of public corporations as authorities for the study, control, abatement and prevention of water, air, or general environmental pollution; to allow the construction, acquisition and ownership by such corporations of facilities for this purpose; to prescribe the powers, duties, composition and financing of such corporations; to provide for cooperation with political subdivisions and other agencies and instrumentalities of the state, and to exempt such authorities from taxation.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 842. Rules.

S. 195. Agriculture.

S. 197. Agriculture.

S. 514. Judiciary.

S. 251. Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Mr. Goodwyn:

S. 583. To provide for the participation of the State of Alabama in the Compact for Education; providing for a designation of its membership, purpose, powers and to make an appropriation therefor.

Also:

By Mr. Goodwyn:

S. 288. Providing for nonpartisan election of circuit judges, judges of the Court of Appeals, and the Chief Justice and Associate Justices of the Supreme Court of the State of Alabama.

Also:

By Mr. Skidmore:

S. 407. To amend Code of Alabama 1940, Title 7, Section 433 relative to the competency of witnesses in civil suits so as to delete from such section provisions making certain persons incompetent to serve as witnesses.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 583. Judiciary.

S. 288. Rules.

S. 407. Judiciary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 822. To amend the title and Section 1 of Act No. 821 of the 1965 Regular Session of the Legislature of Alabama, regulating the fluoridation of water supplies in counties having a population of 400,000 according to the last or any succeeding federal census.

And the President and Presiding Officer of the Senate has appointed as Conferees on part of the Senate Messrs. Bailes, Childs and Dominick.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bills and ordered same sent forthwith to the House without engrossment:

By Messrs. Skidmore, Leonard, Nabors and O'Bannon:

S. 21. To amend Section 106 of Act No. 207, S. 134, Regular Session 1949 (Acts 1949 p. 242) by allowing women over eighteen to work in or about coal mines.

Also:

By Messrs. Skidmore, Leonard, Nabors and O'Bannon:

S. 22. To amend Code of Alabama 1940, Title 26, Section 158, by allowing women over eighteen to work in or about coal mines.

Also:

By Messrs. Skidmore, Leonard, Nabors and O'Bannon:

S. 23. To amend further Code of Alabama 1940, Title 30, Section 21, as amended to prohibit female jurors from being excused at the discretion of the trial judge.

Also:

By Mr. Torbert:

S. 69. To designate an official pledge of allegiance to the state flag and to prescribe the manner in which such pledge shall be rendered.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bills, the titles of which are set out in the above and foregoing Message from the Senate, were severally read one time and referred to appropriate Standing Committees as follows:

S. 21. Business and Labor.

S. 22. Business and Labor.

S. 23. Judiciary.

S. 69. State Administration.

ADJOURNMENT

On motion of Mr. Blanton, the House adjourned until two o'clock P. M. Tuesday, August 26, 1969.

Yeas 48; Nays 35.

Yeas:

Mr. Speaker	Dobbs	Malone	Pruitt
Bassett	Fine	Manley	Shumate
Blanton	Gafford	Marr	Snell
Bowers	Hain	McCorquodale	Steagall
Brannan	Hardin	Meade	Stembridge
Burgreen	Headley	Merrill	Tuck
Cherner	Higginbotham	Money	Watkins
Collier	Hill	Neville	Weeks
Collins (W)	Holman	Owen (Baldwin)	Williams
Cook (Coffee)	House	Paulk	Wood
Crawford	Jackson (T)	Pennington	Wright
Dill	Kilgore	Perloff	Yeilding

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Nays:

Messrs.:	Downing	Holladay	Robertson
Bank	Drake	Jones	Sessions
Brassell	Edington	Lemley	Slate
Brown	Garrett	Lyons	Smith
Cameron	Graham	McElhaney	Springer
Collins (C)	Grainger	McLain	Stubbs
Cook (Jefferson)	Harris	Nettles	Turnham
Culver	Haygood	Owens (W)	Waggoner
Doss	Hobbie	Pearson	Young

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THIRTY-FIFTH DAY

House of Representatives
Montgomery, Alabama
Tuesday, August 26, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Donald C. Graham, Minister, First Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Downing	Kilgore	Pearson
Adwell	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Lyons	Robertson
Beck	Foshee	Malone	Sessions
Berryman (W)	Gafford	Manley	Shumate
Blanton	Garrett	Marr	Slate
Bolton	Gloor	Mathews	Smith
Bowers	Graham	Mays	Snell
Brannan	Grainger	McCorquodale	Springer
Brassell	Grayson	McDonald	Starnes
Brown	Hain	McElhaney	Steagall
Burgess	Hardin	McLain	Stembridge
Burgreen	Harper	Meade	Stubbs
Cameron	Harris	Meeks	Tuck
Cherner	Haygood	Melton	Turnham
Collier	Headley	Merrill	Waggoner
Collins (C)	Higginbotham	Money	Watkins
Collins (W)	Hill	Nettles	Weeks
Cook (Jefferson)	Hobbie	Neville	Williams
Crawford	Holladay	Owen (Baldwin)	Wood
Culver	House	Owens (W)	Wright
Dill	Jackson (F)	Owens (W.E.)	Yeilding
Dobbs	Jackson (T)	Paulk	Young
Doss			

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A quorum was present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 336. Relating to the purchase of livestock; making it a misdemeanor for any person to buy or offer to buy livestock on any public street, road or highway within two thousand five hundred (2,500) feet of a public livestock market and to provide for enforcement.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 144. Mourning the death of Honorable Carl Ross, Jr. of Bessemer, leading attorney of Jefferson County.

Also:

H. J. R. 146. Extending sympathy to the family of Mr. J. Fred Thrasher, prominent citizen of Baldwin County.

Also:

H. J. R. 148. Designating H. B. 513 as "The Ellis-Albea Bill."

Also:

H. J. R. 149. Commending Mr. Barrett Shelton, Sr., long time editor of the Decatur Daily upon receiving his honorary degree of Doctor of Laws from the University of Alabama.

Also:

H. J. R. 150. Honoring Mrs. Ruth Lawson Hanson for her distinguished philanthropic activities and congratulating her on her honorary degree.

Also:

H. J. R. 151. Mourning the death of Honorable LaMont Glass of Greenville, former member of the House of Representatives.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 124. Relative to posting signs on four-lane highways to regulate slow moving traffic.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1336. Relating to counties of not less than 65,000 nor more than 95,000 according to the last or any succeeding federal decennial census; providing further for the distribution of fines from convictions in certain cases of traffic violations.

Also:

H. 1358. To divide Houston County into four commissioners' districts for the purpose of electing the members of the county governing body; and to provide for the nomination and election of one member of such body from each district by the qualified electors of the district at the general election in 1970 and every four years thereafter.

Also:

H. 1359. To abolish the Board of Revenue for Houston County, created by Act No. 599, H. 898, of the Regular Session of 1949, and to relieve the judge of probate of Houston County of his duties, powers, and authority as president and ex officio member thereof; and to create the Houston County Board of Commissioners and the office of chairman of such board; to provide for the election, term of office, qualifications, duties and compensation of the chairman and commissioners; and to constitute such board and the chairman thereof as the governing body of Houston County and invest them with the duties of the governing of such county.

Also:

H. 1346. Relating to counties having a population of not less than 25,400 and not more than 25,500 and establishing the procedure for the selection of a depository of the funds of the Board of Education of any county to which this act applies and fixing the compensation for the members of the County Board of Education in any county to which this act applies.

Also:

H. 1335. To establish a barber commission in counties of not less than 65,000 nor more than 95,000 according to the last or any succeeding federal decennial census; to define its duties and powers; and to authorize the county governing body to furnish such commission office space, fixtures and clerical assistance; to fix and provide for payment of the compensation of the commissioners.

Also:

H. 1369. To provide for the annual salary of the chief deputy sheriff in all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; and to prescribe the manner of payment thereof.

Also:

H. 1371. To provide clerical assistants to the judge of probate in all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; and to provide that their compensation shall be payable out of the county treasury.

Also:

H. 1261. To provide expense allowances for the judge of the circuit court of the Twenty-Eighth Judicial Circuit of Alabama.

Also:

H. 1368. Relating to all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; authorizing the county governing body of each of such counties to provide for employment of clerical assistance for the tax assessor, whose compensation is payable out of county funds.

Also:

H. 1370. Relating to all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; to authorize and direct the county governing body of any such counties to allow and pay to the sheriff of said county an amount not in excess of four hundred dollars ($400.00) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately-owned automobile used on official business of the county.

Also:

H. 1372. To fix the compensation of the deputy solicitors of all counties having populations of not less than 13,500 nor more than 14,200 according to the most recent federal decennial census.

Also:

H. 1343. Relating to counties having populations of not less than 48,500 nor more than 49,500, to provide that the county governing bodies of such counties shall furnish necessary transportation for travel on official business for certain county officers.

Also:

H. 1373. Relating to counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census; to fix the compensation of the chairman and each member of the board of equalization in such counties; to repeal conflicting laws.

Also:

H. 1345. Relating to counties having populations of not less than 48,500 nor more than 49,500, authorizing the governing body of any such county to appropriate county funds to certain non-profit organizations.

Also:

H. 1263. To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1094. Relating to certain county officers in counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; providing expense allowances for the probate judge, the tax assessor and the tax collector; and prescribing an effective date and an expiration date for this Act.

Also:

H. 1128. Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to provide for the compensation of the judge of probate in such counties; to repeal conflicting laws.

Also:

H. 1130. Regulating the compensation of registrars of all counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and providing for payment of additional compensation to them by the county.

Also:

H. 1129. To fix the compensation of the sheriffs of all counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and to repeal conflicting laws.

Also:

H. 827. To alter, rearrange and extend the boundary lines and corporate limits of the town of Level Plains in Dale County.

Also:

H. 1131. Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to fix the minimum and maximum figures for the salary of the deputy sheriffs and all other employees of the sheriff's department in such counties; to authorize the county governing body to prescribe the exact amount of such salaries; to repeal conflicting laws.

Also:

H. 1124. To regulate further the times and places of registering voters in counties having populations of not less than 31,000 nor more than 32,000, according to the most recent federal decennial census.

Also:

H. 281. To further provide for and raise revenue for the State of Alabama; to levy an additional tax on the sale of spirituous or vinous liquors sold by the Alabama Alcoholic Beverage Control Board, the said tax to be measured by the selling price of such liquors, exclusive of taxes heretofore levied with respect thereto; to provide that the said selling price shall not be reduced for the purpose of absorbing the tax herein levied but that said tax shall be passed on to the purchaser; and to provide for payment of the proceeds from said tax into the State Treasury.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 282. To levy an additional privilege and license tax on the sale, storage, use, consumption, or delivery of cigarettes within this state; providing for the collection and enforcement of such taxes; and providing for the distribution of the proceeds.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

LEAVES OF ABSENCE

On motion of Mr. Pennington, leave of absence was granted to Mr. Jones, due to absence from the country.

On motion of Mr. Watkins, leave of absence was granted to Mr. Holman, due to illness.

On motion of Mr. Sessions, leave of absence was granted to Mr. Crane, due to illness.

On motion of Mr. Cook (Jefferson), leave of absence was granted to Mr. Cook (Coffee), due to absence from the city.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirty-fourth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the thirty-fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirty-fourth legislative day was approved.

RESOLUTION

The following resolution was introduced:

By Rules Committee:

H. R. 152. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business for the Thirty-fifth Legislative Day, taking precedence over any other business in the House for this day:

Report of Standing Committees

Senate Messages

Uncontested Local Bills

SB 70, Page 38

SB 45, Page 31

SB 637, Page 22

SB 204, Page 28

SB 77, Page 12

SB 749, Page 33

SB 310, Page 5

SB 778, Page 33

SB 378, Page 21

SB 8, Page 10

SB 649, Page 22

SB 621, Page 9

SB 651, Page 28

SB 113, Page 2

SB 114, Page 2

SB 115, Page 2

SB 502, Page 17

SB 125, Page 21

SB 12, Page 3

SB 277, Page 23

SB 479, Page 4

SB 482, Page 14

SB 484, Page 15

SB 517, Page 32

SB 515, Page 18

SB 760, Page 8

SB 761, Page 8

SB 762, Page 8

SB 220, Page 34

SB 743, Page 23

SB 622, Page 10

SB 285, Page 23

SB 287, Page 32

SB 769, Page 28

SB 146, Page 24

SB 154, Page 6
SB 866, Page 27
SB 603, Page 11
SB 687, Page 33
SB 688, Page 34
SB 71, Page 27
SB 72, Page 27
SB 566, Page 32
SB 155, Page 6
SB 157, Page 12
SB 159, Page 7
SB 160, Page 25
SB 162, Page 25
SB 205, Page 12
SB 419, Page 13
SB 420, Page 13
SB 256, Page 13
SB 369, Page 30
SB 257, Page 31
SB 679, Page 25
SB 680, Page 20
SB 768, Page 24

On motion of Mr. Merrill, H. R. 152 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 775. To make an appropriation for the payment of expenses of the Legislature.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Doss and Slate:

H. R. 153. WHEREAS, the Reverend William K. Stephenson, pastor of the First Baptist Church of Decatur has contributed greatly to the religious and civic life of his community, and

WHEREAS, Reverend Stephenson was recently awarded an honorary Doctor of Divinity degree by Samford University, and

WHEREAS, we wish to add our congratulations to those he has received from his church and his many other friends;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA that the Reverend William K. Stephenson is hereby commended for the many contributions which he has made to the religious and civic life of his community and State and is hereby congratulated for having been selected for the award of an honorary degree of Doctor of Divinity by Samford University.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Dr. William K. Stephenson and to the Clerk of the First Baptist Church of Decatur, Alabama of the Morgan County Baptist Association.

On motion of Mr. Doss, the rules were suspended and H. R. 153 was adopted.

Also:

By Mr. Steagall:

H. J. R. 154. BE IT RESOLVED by the House of Representatives of the State of Alabama, the Senate concurring, that

WHEREAS, Edward W. Lisenby of Ozark, Alabama, lost his life on Friday, August 22, 1969, in a tragic accident, and his untimely death at the age of thirty-three leaves his family, his friends, and all citizens of Ozark deeply grieved, and

WHEREAS, Edward W. Lisenby contributed in many ways to the progress and advancement of the City of Ozark and its citizens, serving on the City Council of the City of Ozark, and having a keen interest in schools, community growth, and exhibiting great vision and foresight in the development of his city, county, and state, and

WHEREAS, the Dale County Public Lake, situated in Ozark, Dale County, was built on land, obtained in part from Joseph W. Lisenby, the father of Edward Lisenby, and therefore it seems only appropriate that Dale County Public Lake should be designated and named by the Legislature of Alabama "The Edward W. Lisenby Public Lake";

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of the State of Alabama, the Senate concurring, that the Dale County Public Lake shall be named and designated and hereafter known as "The Edward W. Lisenby Public Lake".

Resolved further that copies of this resolution be furnished Mrs. Stephanie M. Lisenby, Ozark, Alabama, the widow of Edward W. Lisenby, and Mrs. Grace B. Lisenby, Ozark, Alabama, mother of said decedent, and to the appropriate news media.

On motion of Mr. Steagall, the rules were suspended and H. J. R. 154 was adopted.

Also:

By Mr. Blanton:

H. J. R. 155. WHEREAS, the USS MOBILE (LKA 115) will be commissioned at ceremonies in Newport News, Virginia in September of 1969; and

WHEREAS, this new naval vessel has been named for the City of Mobile, Alabama; and

WHEREAS, it is most appropriate that the Alabama Legislature be officially represented at the commissioning ceremonies:

NOW, THEREFORE, BE IT RESOLVED by the House of Representatives of the State of Alabama, the Senate concurring, that the Representative from Mobile, Robert S. Edington, be designated to represent the Legislature of the State of Alabama at the commissioning of the USS MOBILE.

On motion of Mr. Blanton, the rules were suspended and H. J. R. 155 was adopted.

Also:

By Messrs. Robertson, Culver, Bank and Brown:

H. J. R. 156. WHEREAS the gracious ladies of American Legion Auxiliary Post 208 of Northport, Alabama have contributed greatly to the welfare of their community, state and nation through diligent and effective work in civic affairs; and

WHEREAS these ladies, by their dedicated labors in the veteran's hospital, have made life more cheerful for those confined there, and have helped the Legion to fulfill its avowed duty to this nation's veterans; and

WHEREAS by their sponsorship of Girls State and Girls Nation, the ladies of the Legion Auxiliary have caused countless fine young women to become interested in government and devoted to the ideals of Americanism; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate and commend the ladies of American Legion Post 208 at Northport for their measureless contribution to the benefit of this country.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mrs. Estelle Mitchell, President of American Legion Auxiliary Post 208.

On motion of Mr. Robertson, the rules were suspended and H. J. R. 156 was adopted.

Also:

By Mr. Cook (Jefferson):

H. J. R. 157. WHEREAS, it has been exhibited beyond question the need for legislation regulating the activities of both members of the Alabama Legislature and lobbyists to the extent that such activities bear on the orderly and proper conduct of legislative affairs:

NOW, THEREFORE, BE IT RESOLVED BY THE Legislature of Alabama, both Houses thereof concurring:

1. There is hereby created a Joint Interim Committee on legislative and lobbying ethics, which committee shall be composed of 5 persons appointed by the present Speaker of the House of Representatives, each of whom shall be a member of the present House of Representatives, and 4 persons appointed by the present Presiding Officer of the Senate, each of whom shall be a member of the present Senate. Appointments shall be made forthwith. The committee shall elect from among its members a chairman and a vice-chairman, and shall hold such meetings and hearings, examine such witnesses, and conduct such studies and make such inquiries as it considers necessary and proper in the performance of its duties.

2. Such Joint Interim Committee shall make a complete study of the need for legislation in the area of legislative lobbying ethics, prepare adequate legislation to meet the needs in such area, and to report to the Legislature at its next regular session.

On motion of Mr. Cook (Jefferson), the rules were suspended.

Yeas 70; Nays 3.

Yeas:

Messrs.:	Edington	Lemley	Perloff
Adwell	Ellis	Lyons	Pruitt
Bank	Foshee	Malone	Robertson
Beck	Gafford	Mathews	Sessions
Berryman (W)	Garrett	Mays	Slate
Bowers	Graham	McCorquodale	Smith
Brannan	Grainger	McDonald	Snell
Brassell	Hardin	McElhaney	Springer
Brown	Harper	McLain	Starnes
Burgreen	Harris	Meeks	Stembridge
Cherner	Haygood	Melton	Stubbs
Collier	Higginbotham	Merrill	Tuck
Collins (C)	Hobbie	Money	Turnham
Cook (Jefferson)	House	Nettles	Waggoner
Crawford	Jackson (F)	Neville	Weeks
Culver	Jackson (T)	Owens (W)	Williams
Doss	Kilgore	Pearson	Wright
Downing	Laxson	Pennington	—70

Nays: Mr. Speaker, Burgess and Fine. —3

On motion of Mr. Cook (Jefferson), H. J. R. 157 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 106. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the Secretary of the Senate and the Clerk of the House each be allowed the Enrolling and Engrossing Clerks and fifteen assistants in addition to those provided in the Code, to assist in checking the Journals and other records of the House and Senate for delivery to the Secretary of State.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the rules were suspended and the House concurred in and adopted the S. J. R. 106 set out in the above and foregoing Message from the Senate.

BILLS ON SECOND READING

Mr. Fite, Chairman of the Standing Committee on Rules, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 251. To authorize the creation of public corporations as authorities for the study, control, abatement and prevention of water, air, or general environmental pollution; to allow the construction, acquisition and ownership by such corporations of facilities for this purpose; to prescribe the powers, duties, composition and financing of such corporations; to provide for cooperation with political subdivisions and other agencies and instrumentalities of the state, and to exempt such authorities from taxation.

S. 288. Providing for nonpartisan election of circuit judges, judges of the Court of Appeals, and the Chief Justice and Associate Justices of the Supreme Court of the State of Alabama.

S. 842. To make an appropriation to the office of the Attorney General and to provide for special investigators, clerical assistants, equipment, travel and other necessary expenses.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 120. To Repeal Title 15, Section 137, Code of Alabama, 1940, as amended.

S. 121. To Repeal Title 15, Section 136, Code of Alabama, 1940, as amended.

S. 122. To Repeal Title 15, Section 135, Code of Alabama, 1940, as amended.

S. 163. To amend Sections 169 and 171 of Title 7 of the Alabama Code (1940) which sections relate to the validation prior to their issuance of Bonds, Certificates of Indebtedness and Time Warrants which mature more than one year from their respective dates, issued by counties, cities, towns, villages, districts or other political subdivisions in the State of Alabama.

S. 399. To amend further Code of Alabama 1940, Title 30, Section 21, as amended, so as to eliminate therefrom the provision authorizing the placing on the jury roll and in the jury box the names of persons who cannot read English, but are freeholders or householders and possess the other qualifications prescribed for jurors.

S. 519. To provide that certain school lunchroom managers and assistants to such managers may become members of the Teachers' Retirement Sysctem and shall receive all the benefits provided for teachers under the provisions of Code of Alabama 1940, Title 52, Chapter 14; to place the duty of collecting the employees' contributions to the Teachers' Retirement System on the county or city board of education employing such school lunchroom managers and assistants to such

managers and also the duty of remitting to the secretary-treasurer of the retirement system both the employer's and employees' contributions to the system; to provide for the payment of the employer's liability on account of matching contributions and providing for prior service of such school lunchroom managers and assistants to such managers out of funds in the Alabama Special Educational Trust Fund which have been appropriated therefor to the state department of education and distributed by such department to the several county and city boards of education employing lunchroom managers and assistants to such managers; and to make an appropriation to carry out the provisions of this Act.

S. 563. To provide that certain communications between clergymen and their communicants shall be privileged; defining terms; and providing for the application of this act.

S. 583. To provide for the participation of the State of Alabama in the Compact for Education; providing for a designation of its membership, purpose, powers and to make an appropriation therefor.

S. 608. To amend Section 1 of Act No. 34 (H. 45) of the First Extraordinary Session of 1969 of the Legislature of Alabama, approved May 14, 1969, entitled "An Act authorizing the county governing body of each of the several counties to levy, assess and collect franchise, excise and privilege license taxes in order to raise funds to be used for the public schools in the county," so as to prescribe certain limitations on the levying of such taxes.

S. 712. To provide that any estate in real property may be acquired and held in the name of a partnership or joint venture, to specify the manner in which any estate in real property so acquired and held may be conveyed, and to define certain terms as used herein.

S. 895. To provide for the revision, codification, digesting and promulgation of the public statutes of this State; to authorize the Governor to enter into a contract for such revision, codification, digesting and promulgation of such statutes; to designate the Legislative Council as a legislative committee to read, revise, amend and correct the manuscript of the Code; and to make an appropriation to effect the purposes of this Act.

S. 747. To authorize Alabama Trade School and Junior College Authority to sell and issue additional bonds for the construction, reconstruction, improvement, alteration, or equipping of junior colleges and trade schools; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this Act shall not create an obligation or debt of the State and shall be limited obligations payable solely from the revenues of said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this Act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the State and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to direct the State Treasurer to pay the principal of and interest on said bonds out of the funds so appropriated and pledged; to provide that any portion of this Act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this Act.

Mr. Pruitt, Vice Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 846. To make a conditional appropriation from the state treasury for the construction, equipment and furnishing of a substation in Tallapoosa County for the Department of Public Safety.

S. 845. To amend Section 606, Title 51, Code of Alabama, 1940, relating to privilege licenses.

Mr. Cook (Coffee), Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 528. To amend Act No. 551, H. 321, Regular Session 1967 (Acts 1967, Vol. II, p. 1300), an act to establish the Alabama Council on the Arts to change the name of said Council to the Alabama State Council on the Arts and Humanities and to exempt certain employees of the Council from the provisions of the state merit system and to provide for the duties and powers of such Council.

Mr. Pruitt, Vice Chairman of the Standing Committee on State Administration, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 138. To authorize the governing bodies of municipal corporations of this state to elect a deputy recorder or deputy recorders; such deputy recorders, when so elected and serving, shall have and possess the identical power and authority granted by law to recorders; providing for the term of office and salary of such deputy recorders.

S. 460. To amend Sections 499, 501 and 502 of Chapter 1 of Title 2 of the Code of Alabama of 1940; and to repeal Sections 498 and 500 of Chapter 1 of Title 2 of the Code of Alabama of 1940, all of which relate to chemical laboratory analyses of substances, products and materials by the Department of Agriculture and Industries.

Mr. Haygood, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 549. Defining, regulating, and providing for the licensing of employment agencies; providing for the revocation and suspension of licenses subject to appeal; providing for the creation of an Employment Agency Board and the appointment of members thereof and the terms of such members; providing and defining the powers and duties of such Board to enforce and administer this act; prescribing penalties.

Mr. Pennington, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 174. To provide for the creation and operation of a Board of the State of Alabama to be known as the Beautification Board of the State of Alabama; providing for the appointment of said Board; setting out the

qualifications of members; determining the method of filling vacancies; providing for the organization of the Board and for meetings and setting out the powers and duties of the Board.

S. 4. Concerning the acquisition of control of a domestic insurance company and certain transactions, dividends and distributions between insurance companies and their affiliates and to provide penalties for the violation thereof.

S. 477. To make it unlawful and constitute a misdemeanor to build, maintain or use an insanitary sewage collection, treatment and disposal facility within the State, but excluding certain plumbing within municipalities; to authorize the State Board and/or County Boards of Health to adopt rules and regulations for the administration of this Act; to authorize the State Board of Health and/or County Boards of Health to require the installation of required type and number of facilities; to require the submission of plans and specifications applying to sewage collection, treatment and disposal to the State Board of Health and/or County Boards of Health; provides for the approval of plans and specifications and issuance of permits for construction; to repeal Title 22, Section 73 Code of Alabama 1940 and Code of Alabama Recompiled 1958; and to provide penalties for violation of this Act, and certain rules and regulations.

S. 692. Regulating the practice of radiologic technology, providing for appointment and operation of the Board of Radiologic Technologists Examiners for the State of Alabama; providing for examination and licensing of radiologic technologists; providing for the enforcement of this act; and prescribing penalties and fees.

Mr. Smith, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 49. To provide penalties for persons convicted of stealing fish from persons engaged in fish farming.

S. 195. To amend further Code of Alabama, Title 22, Chapter 7, which is known as the Milk Control Board Law, so as to require the Milk Control Board to make, reduce to writing, and record in its minutes a finding of fact on which its orders are based, prior to the issuance of such orders.

S. 197. To amend further Code of Alabama 1940, Title 22, Section 206, as amended, which pertains to "DEFINITIONS," so as to provide for the further defining of Bulk Milk Tank Driver and Bulk Milk Tank Hauler.

S. 660. To authorize the Commissioner of Agriculture and Industries to approve and certify soil testing laboratories that make recommendations for fertilizer or plant food needs for agricultural purposes; to authorize the State Board of Agriculture and Industries to adopt rules and regulations prescribing requirements and standards for the certification of soil testing laboratories and to provide an exemption therefrom; to prohibit false or fraudulent representations concerning certification as authorized hereunder and to provide a penalty for violations.

Mr. Owen (Baldwin), Chairman of the Standing Committee on Conservation, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 474. To amend Section 6(1) of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, as amended by Act No. 878, Acts of Alabama 1961, page 1377, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

S. 472. To amend Section 17 of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions, registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration, term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered, establishing exemptions from numbering provisions, requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

S. 473. To amend Section 3(1) of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, as amended by Act No. 878, Acts of Alabama 1961, page 1377, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries;

requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

Mr. Garrett, Chairman of the Standing Committee on Local Government, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 465. To amend Code of Alabama 1940, Title 37, Section 540, which relates to the power of certain cities, classified according to population, to abate or reduce assessments made for public improvements, in order to make this section applicable to other cities, also classified according to population.

Mr. Fine, Vice Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 850. To propose an amendment to the Constitution of Alabama, relating to the levying and collection of special property tax for general health purposes in the counties of Lawrence, Limestone and Morgan, Alabama.

The above bill was read a second time at length as required by the Constitution.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 894. To amend Act No. 263, S. 410, Regular Session 1967 (Acts 1967, p. 743), an Act regulating further the sale and consumption of alcoholic beverages in all counties having populations of not less than 65,000 nor more than 95,000 according to the most recent federal decennial census, in order to provide further for places in which such beverages may be sold, to regulate further the rate of such tax, to authorize and provide for the use of stamps, crowns or decals to evidence payment of the tax levied by said Act, and to provide further for the enforcement of the Act and for the distribution and use of the proceeds thereof, and to prescribe additional penalties for violations of the Act.

S. 896. Relating to counties having populations of not less than 41,000 nor more than 45,000 according to the most recent federal decennial census; providing further for the handling and use of the proceeds of gasoline excise taxes heretofore levied by the county governing bodies in any such counties.

S. 897. Relating to counties having populations of not less than 46,500 nor more than 48,000, according to the most recent federal decennial census; and to fix the compensation of the solicitor of the law and equity courts in such counties; to repeal conflicting laws.

S. 898. To amend Act No. 65, S. 97, of the Extra Session of 1936 (General and Local Acts, 1936, Local Acts Section, p. 34), which provides a fund for the support of a law library for the Circuit Court of Tuscaloosa County, so as to increase the trial taxes levied thereby and regulate further the expenditure of such fund.

S. 900. Relating to Shelby County; authorizing any bank situated within the county to open, establish, operate and maintain branch banks, branch offices or other places of business within a certain area within said county.

S. 905. To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

S. 906. To fix the compensation of the Judge of Probate of Baldwin County, provide the method of payment thereof, provide for compensation of clerical assistants and the payment of their salaries, and provide for the operation of the office of the Judge of Probate of Baldwin County, Alabama.

S. 907. Relating to counties having populations of not less than 15,500 nor more than 16,300; to provide for the election and qualifications of members of the board of revenue, court of county commissioners, or other like governing body of any such county.

S. 908. Relating to counties having populations of not less than 13,700 nor more than 14,300; to provide for the election and qualifications of members of the board of revenue, court of county commissioners, or other like governing body of any such county.

S. 910. To amend Act No. 505, Section 453 of the Regular Session of 1963 (Acts, 1963, page 1087), which establishes and provides for the operation of the Cherokee County Court, amending Section 8, 12 and 14 of such Act, so as to transfer certain jurisdiction relative to juveniles from the probate court of Cherokee County to the Cherokee County Court, to provide further for the compensation of the judge.

S. 911. Relating to the 31st Judicial Circuit; to provide supplemental compensation for circuit judges and the district attorney of such circuit in lieu of any and all other salary supplements heretofore authorized, so as to provide further for such compensation.

Mr. Downing, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 821. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing an expense allowance for the director of the personnel department in any such county.

S. 805. To fix the salary of the Clerk of any inferior State or County Court now having two judges in counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent federal decennial census and to regulate the payment thereof.

S. 806. To further amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, Vol. 1, p. 273), which relates to Mobile County.

S. 654. To amend Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the Judge of Probate of said county (Acts 1955 v. 1, page 335) as last amended by an Act approved September 2, 1964, (Acts 1964 p 322).

Mr. Downing, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 615 (with amendment). To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

Mr. McElhaney, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 858. Relating to counties having populations of not less than 150,000 nor more than 300,000, according to the most recent federal decennial census; providing for participation of school lunchroom managers and assistants to such managers who are employed by the county board of education or a city board of education in such county in the Employees' Retirement System of Alabama; requiring the employing board of education to take such action as is required to bring such lunchroom managers and their assistants under the retirement system in the manner prescribed in Section 12 of Act No. 515, H. 93, of the Regular Session of 1945, as amended; and directing the county governing body to appropriate and pay out of county funds to the county board of education or a city board of education, as the case may be, the amounts needed to pay the employer's contributions to the retirement system.

Mr. Grainger, Vice Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 903. To amend Section 3 of Act 324, Acts of Legislature, Regular Session 1923, as said act was amended by Act 469, Acts of Legislature, Regular Session 1931, by re-defining the boundaries of the five districts of Madison County, Alabama.

S. 902. To provide for the manner and procedure for the election of members and the chairman, president or presiding judge of boards of county commissioners, boards of revenue or like governing bodies in counties having a population of not less than 115,000 nor more than 165,000 according to the last federal decennial census and providing for their term of office and the time of their election.

Mr. Fine, Chairman of the Standing Committee on Highway Safety, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 617. To provide for and regulate liens for work, labor and materials for installing paving, curbs, gutters, storm sewers, sanitary sewers and other improvements in or on public streets, avenues, alleys and other public ways.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 520. To provide for the control of air pollution within the State of Alabama; to create and establish an Air Pollution Control Commission; to prescribe the jurisdiction, powers, duties and functions of the Air Pollution Control Commission; to provide for an executive director of the Commission; to provide for the enforcement of the Act and orders, rules and regulations adopted by the Air Pollution Control Commission; prescribing penalties and making appropriations.

S. 521. To amend Section 402 of Title 51 of the Code of Alabama of 1940, as heretofore amended, to provide for the allowance of a deduction, for Alabama corporate income tax purposes, for all amounts invested in devices, parts of devices, systems or facilities used or placed in operation in the State of Alabama, or to be used or placed in operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, to provide for, in lieu of such deduction, the amortization of all such amounts over such period (not exceeding the useful life of the devices, parts, systems or facilities for which such amounts were expended) as shall be specified in the tax return respecting the taxable year during which such amounts were expended and for appropriate deductions of the amounts so amortized, to provide that the taking of any such deductions shall be optional with the taxpayer, to provide that any such deduction, if taken, shall be in lieu of any other allowance for depreciation or obsolescence with respect to such devices, parts, systems or facilities, and to provide that none of such deductions shall be subject to any apportionment or allocation otherwise required and that all thereof shall be allowed in full.

S. 522. To amend Section 2 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt from ad valorem taxation all devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

S. 523. To amend Section 348 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, for purposes of computing the franchise tax on foreign corporations, of all amounts invested in all devices, identifiable parts of devices, systems and facilities used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

S. 524. To amend Section 33 of Act No. 100 enacted at the 1959 Second Special Session of the Legislature of Alabama, as heretofore amended, so as to exempt from the provisions of said Act, and from the computation of the amount of sales tax levied, assessed or payable thereunder, the gross proceeds from the sale of all devices, identifiable parts of devices, systems or facilities used or placed in operation in the State of Alabama, or intended for use or operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the gross proceeds from the sale of all materials used in the State of Alabama, or intended for use in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

S. 525. To amend Section 25 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, from the assessed value of the shares of any Alabama corporation for the purpose of taxation of such shares, of the assessed value of all devices, identifiable parts of devices, systems and facilities constructed, used or placed in operation in the State of Alabama primarily for the protection

of the public and the public interest through the control, reduction or elimination of air or water pollution.

S. 526. To amend Section 789 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt, from the state use tax, the storage, use of consumption of any devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the storage, use or consumption of any materials used primarily for the protection of the public and the public interest through the control, reduction or elimination of air and water pollution.

S. 506. To validate moral obligations, not exceeding One Hundred and Sixty Dollars ($160.00) in amount, paid by the State Training School for Girls for motor vehicle accidents involving employees and for injuries to employees as a result of performance of their duties during the period October 1, 1966 through September 30, 1968.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

S. 80 (with amendment). To amend further Act No. 47, Special Session 1961, approved September 15, 1961 (Acts 1961, v. 2, p. 1904), which Act exempts certain religious, benevolent and civic institutions and organizations from taxation and licenses, so as to grant exemptions to Boys' Ranch.

Mr. Mathews, Chairman of the Standing Committee on Ways and Means, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 15. To amend Act No. 549, S. 2, approved August 23, 1965 (Acts, 1965, V. 1, p. 811), the Uniform Commercial Code, Codified as Title 7 A. Commercial Code.

S. 664. To make a supplemental appropriation to the Department of Public Safety.

S. 415. To amend Code of Alabama 1940, Title 35, Section 115, which relates to compensation for injury, disability and death of members of the state militia.

S. 620. Relating to taxation; further defining terms used in administering state sales and use tax laws with respect to commercial fish feed.

S. 714. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate funds of the county to the Lurleen B. Wallace Memorial Hospital Fund, Inc.

S. 16. To amend Section 9 of Act No. 762 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to increase the rate of interest that may be borne by bonds of a gas district organized under the said Act.

S. 827. To make an appropriation for the relief of Mrs. Hubert P. Gavin, of Camden.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

S. 489. To require all dealers of scrap metal to obtain a sworn affidavit from the seller prior to the purchase of any copper or copper alloy metal and lead and lead products, in all counties having a population of less than 150,000 according to the last or any subsequent federal census.

S. 807. To require hospitals to permit certain persons to inspect the record of any person who authorizes the same; to require proof of authorization; to define terms; and to prescribe penalties for violations.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 283. To raise revenue by levying a privilege or excise tax, in addition to all taxes and licenses now imposed by law, on every person licensed under the provisions of Title 29 of the Code of Alabama (1940), as amended, who sells, stores, or receives for the purpose of distribution, malt or brewed beverages; to provide for the collection and distribution of the proceeds of said tax.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1299. To amend further Section 4 of Act No. 553, H. 145, Regular Session 1955, as act providing for urban renewal projects (Acts 1955, v. 2, p. 1210), as amended, in relation to the powers of housing authorities and municipalities to acquire planning funds from federal agencies.

Also:

H. 924. To relieve the board of registrars of Lauderdale County of the duty of visiting the several precincts for the purpose of registering applicants for registration; and to regulate further the places for registration of applicants therefor.

Also:

H. 1110. Relating to counties having populations of not less than 25,700 nor more than 25,900, according to the most recent federal decennial census; to regulate the insuring of certain public school buildings in such counties, together with the equipment, furniture, fixtures and other property of such buildings; to repeal conflicting laws.

Also:

H. 1215. Relating to Escambia County; providing salaries and expenses allowances for the Chairman and associate members of the Board of County Commissioners; providing for the appointment and salary of the Chief Clerk; amending Sections 2, 4 and 6 of Act #411, H. 742, Regular Session 1963; and repealing Act No. 724, H. 1240, Regular Session 1965.

Also:

H. 1214. Relating to Escambia County; providing salaries for the sheriff's deputies and fixing number of deputies.

Also:

H. 1213. To alter and rearrange the boundary lines of the City of Brewton, Alabama so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said City.

Also:

H. 1207. Relating to Conecuh County; providing for the payment of a monthly expense allowance to the members of the county board of education.

Also:

H. 918. To amend Act No. 261, H. 808, approved August 23, 1955 (Acts 1955, p. 606) relating to the construction, maintenance and repair of the county roads and bridges of Cherokee County.

Also:

H. 1337. To authorize the county governing body of Tallapoosa County to appropriate county funds for the relief of Houston Harper and M. L. McCoy to compensate said persons for certain damages and to pay a certain sum to the estate of Floyd Patterson as a just and moral obligation of the county for which there is no recourse at law.

Also:

H. 1066. Relating to all counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to provide an additional expense allowance for the members of the county board of education in such counties.

Also:

H. 1071. Authorizing the county governing body of Cherokee County, Alabama, to levy and collect a 1¢ gasoline tax on persons, corporations, co-partnerships, companies, agencies and associations engaged in the business of selling, distributing, storing or withdrawing from storage, said gasoline or other liquid motor fuel and that the substance of said bill is as follows:

Also:

H. 1108. To alter, rearrange and extend the boundary lines and corporate limits of the town of Mentone, in DeKalb County, Alabama; and to prescribe the time when this act shall become effective.

Also:

H. 1109. To apply only in counties having populations of not less than 40,000 nor more than 45,000; providing an expense allowance payable from the county treasury for the use of the coroner.

Also:

H. 1200. Relating to law enforcement in Autauga County; To amend Act No. 61, H. 2, of the Special Session, 1967 (Acts, 1967, p. 96), an Act which fixes the fee for the issuance of pistol permits and regulates the disposition and use of such fees, so as to provide further for the disposition and use of such fees.

Also:

H. 1201. Relating to Autauga County; regulating further the compensation of the jury commission and the clerk thereof.

Also:

H. 1216. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; pertaining to the board of revenue, board of county commissioners, or other like governing body and to the county engineer of said counties.

Also:

H. 1217. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; providing for a temporary chairman of the board of revenue, board of county commissioners, or other like governing body of said counties should the elected chairman become ill or otherwise incapacitated.

Also:

H. 1212. To amend Section 2 of Act No. 47, H. 100 Special Session 1962 (Acts 1962, p. 63) an act entitled "To change the method of compensating certain officers of Elmore County, placing such officers on a salary basis, and providing for the operation of their offices on such basis," so as to authorize an additional full time clerk for the circuit clerk.

Also:

H. 1042. To regulate the salary of the jailer in Macon County, payable out of the general funds of the county.

Also:

H. 1044. To provide a clerk hire allowance for the sheriff of Macon County, payable out of the general funds of the county.

Also:

H. 1197. Relating to Bibb County; providing additional expense allowances for members of the board of education in such county.

Also:

H. 1190. To provide for an advisory referendum relative to the election of the superintendent of education of Bibb County; and to

provide for the appointment or election of the county superintendent of education of such county in the manner favored at such referendum.

Also:

H. 708. A bill relating to all counties having populations of not less than 10,800 nor more than 12,000 according to the most recent federal decennial census; further regulating the salary of the members of the tax equalization board, board of registration, and jury commission in each such county.

Also:

H. 732. To regulate the compensation of bailiffs for the grand jury and bailiffs actually serving in court in every county having a population of not less than 49,500 nor more than 50,000.

Also:

H. 1100. To provide for the establishment and administration of a Retirement System to provide retirement allowances and other benefits for certain employees of the County of Montgomery, Alabama, and ultimately to supersede the existing pension systems established by Act No. 240 of the Legislature of Alabama of 1947 and by Act No. 176 of the Legislature of Alabama of 1959.

Also:

H. 1099. To amend Act No. 240, H. 627, approved July 29, 1947, (Local Acts of 1947, p. 165) entitled, "An Act to authorize and require the Board of Revenue of Montgomery County, Alabama, to provide a pension or retiring allowance plan for the employees of said County but not for the elected officials", to provide for an increase in the pension or retiring allowance authorized by said Act.

Also:

H. 1008. To amend Act No. 165, No. 215, 1965 Special Session, Vol. I, page 216, approved March 30, 1965, relating to counties having a population of not less than one hundred fifty thousand nor more than three hundred thousand, fixing the fee for the issuance of a pistol permit by the Sheriff, and providing for the disposition and use of such fee.

Also:

H. 1088. Proposing an amendment to the Constitution relating to levying a special school tax in the school district of the City of Huntsville in Madison County.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 420. To make an appropriation to the Governor's office for the payment of legal fees in connection with legal actions filed or to be filed against the State Board of Education, local boards of education or superintendents of education.

Also:

H. 886. To amend Act No. 224 adopted at the Special Session of 1967 of the Legislature of Alabama so as to appropriate, from the state's share of the net tax proceeds of the highway gasoline tax, moneys for payment at their respective maturities of the principal of and interest on bonds of Alabama Highway Authority issued under an act adopted at the 1969 Regular Session of the Legislature of Alabama, and to clarify the provisions of the said Act insofar as they relate to refunding bonds that may hereafter be issued.

Also:

H. 858. To make further provision for the financing and construction of public bridges in the state; to authorize Alabama Highway Authority to sell and issue from time to time not exceeding $25,000,000 principal amount of bonds in addition to those heretofore authorized to be issued by said Authority; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this act shall not create an obligation or debt of the state and shall be limited obligations payable solely out of the revenues of the said Authority appropriated and pledged in this act; to provide that the said bonds may thereafter be refunded by the issuance of refunding bonds and that the limitation on the amount of the bonds issued by said Authority under this act shall not apply to refunding bonds issued under this act; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the state and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of fiduciary funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to authorize the said Authority to pledge for payment of the said principal and interest the moneys appropriated and pledged in this act for that purpose; to provide that any portion of this act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this act.

Also:

H. 888. To amend Sections 6 and 11 of Act No. 43 adopted at the First Special Session of 1955 of the Legislature of Alabama so as to change the duration for which the corporation organized thereunder (known as Alabama Highway Authority) shall continue to exist.

Also:

H. 891. To amend Act No. 590 adopted at the 1939 Regular Session of the Legislature of Alabama (relating to the excise tax on motor fuel as defined in the said act), as amended, so as to make further provision for the disposition of the proceeds of the tax levied thereby.

Also:

H. 857. To amend Section 713 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to make further provisions for the distribution of the net proceeds from the license taxes and registration fees therein referred to.

Also:

H. 830. To alter, redefine and reduce the corporate limits of the Town of Vincent in Shelby County so as to exclude therefrom certain territory.

Also:

H. 1016. Relating to additional compensation paid official court reporter in all circuits composed of two counties, having two circuit judges, and in which one county having a population of not less than 50,000 nor more than 51,000 according to the most recent Federal Decennial Census.

Also:

H. 1091. Relating to counties having populations of 10,800 or less, according to the last or any subsequent federal decennial census; to fix the compensation of the county solicitor in such counties; to repeal conflicting laws.

Also:

H. 1103. Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to provide an allowance for the employment of additional clerical assistance by the tax collectors and tax assessors of such counties; to repeal conflicting laws.

Also:

H. 1102. Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to provide for an expense allowance for the sheriff in such counties; to repeal conflicting laws.

Also:

H. 1101. Relating to counties having populations of not less than 15,400 nor more than 16,000, according to the most recent federal decennial census; to authorize the county governing bodies of such counties to employ the clerks of the circuit courts in such counties to perform certain duties, and to prescribe such duties and to provide for payment of compensation therefor.

Also:

H. 1226. To make an appropriation from the Marion County treasury for the relief of Theron Holliman.

Also:

H. 1225. To make an appropriation from the Marion County treasury for the relief of B. N. Wade.

Also:

H. 1224. To make an appropriation from the Marion County treasury for the relief of Ray Irvin.

Also:

H. 1221. Relating to all counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census; to provide an additional expense allowance for the members of the county board of education in such counties.

Also:

H. 1168. To regulate the compensation of jurors in counties having populations of not less than 14,500 nor more than 14,900.

Also:

H. 1166. To provide for compensation of jurors in Pickens County.

Also:

H. 1165. To provide for the compensation of the deputy sheriffs of Pickens County.

Also:

H. 1164. To fix the compensation and allowance of election officers in Pickens County.

Also:

H. 1141. To amend Act No. 27, H. 102 of the 1964 Special Session (Acts 1964, Special Session, p. 47) which creates and establishes the Lauderdale County Court, in order to enlarge the civil jurisdiction of the court and to provide for increasing the compensation of the judge thereof.

Also:

H. 923. Relating to the office of sheriff of Lauderdale County; providing further for the operation of such office; making further provisions respecting the number and employment of deputies and assistants for such officers; providing for their compensation; and repealing conflicting laws.

Also:

H. 925. To amend Act No. 88, S. 181, Regular Session 1959 (Acts 1959, p. 509), which authorizes and provides for the establishment of a public law library in Lauderdale County, and provides for the taxing and collection of additional court costs in certain courts in the county to finance such library; to provide further for the taxing and collection of additional court costs for such purpose.

Also:

H. 1115. Relating to Colbert County board of revenue; abolishing the office of chairman of the board, providing that the probate judge shall be chairman of the board and transferring certain authority and duties of the incumbent chairman to said judge; further regulating the salaries of board members; and providing for a referendum.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Pennington, Grainger and Slate:

H. J. R. 158. WHEREAS our late Governor, the gracious and courageous Lurleen Burns Wallace, by her sincere and selfless devotion to duty won a place in the hearts and minds of all of the people of the State of Alabama; and

WHEREAS the members of this body are deeply appreciative of the services this wonderful lady performed for the state and for the people, and wish to show their appreciation in a tangible way; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That a page in the Journal of the House be dedicated to the memory of Governor Lurleen Burns Wallace.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to former Governor George C. Wallace.

On motion of Mr. Pennington, the rules were suspended and H. J. R. 158 was adopted.

Also:

By Messrs. Pennington, Grainger and Slate:

H. J. R. 159. WHEREAS the Honorable Chauncey Sparks, Governor of this state from 1943 to 1947, passed away on November 6, 1968, to the sorrow and loss of all who knew him; and

WHEREAS the people of this state owe a great deal to the memory of one of its finest and most able governors, who guided the fortunes of Alabama through the perilous years of World War II, and whose administration produced much fruitful and effective legislation which is still working to the benefit of the people of Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That a page in the Journal of the House be dedicated to the memory of our beloved former governor Chauncey Sparks.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the family of Governor Sparks.

On motion of Mr. Pennington, the rules were suspended and H. J. R. 159 was adopted.

Also:

By Messrs. Pennington, Grainger and Slate:

H. J. R. 160. WHEREAS the Honorable Gordon Persons, who passed away four years ago, was one of the finest and most effective governors this state has ever had; and

WHEREAS this body feels that some action should be taken to record the appreciation owed by the people of Alabama to one of our greatest governors; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That a page in the Journal of the House be dedicated to the memory of Governor Gordon Persons.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the family of Governor Gordon Persons.

On motion of Mr. Pennington, the rules were suspended and H. J. R. 160 was adopted.

D E D I C A T E D

T O T H E

M E M O R Y O F

HONORABLE LURLEEN BURNS WALLACE

Governor of the State of Alabama

January, 1967 - May, 1968

D E D I C A T E D

T O T H E

M E M O R Y O F

HONORABLE CHAUNCEY SPARKS

1884 - 1968

Governor of the State of Alabama

1943 - 1947

D E D I C A T E D

T O T H E

M E M O R Y O F

HONORABLE GORDON PERSONS

1902 - 1965

Governor of the State of Alabama

1951 - 1955

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1085. To provide for the City of Tuscumbia, Alabama, a civil service system governing the appointment, removal, salaries, tenure, and official conduct of employees of the police department, and city clerk's office of the city; defining violations of the Act, and imposing penalties for violations.

Also:

H. 23. To authorize the establishment and incorporation of the State Toll Bridge Authority; to empower said authority to finance, purchase, construct, and operate toll bridges in Alabama; to authorize said authority to issue bonds of indebtedness, enter into contracts, and collect tolls; and to authorize said authority to acquire and dispose of properties, and to exercise powers, privileges, and rights necessary for the construction, operation, and maintenance of toll bridge projects in this State.

Also:

H. 1297. To alter or re-arrange the boundaries of the Town of Cottonwood, Houston County, Alabama, so as to include within the corporate limits of said town all territory within such corporate limits and also certain other territory contiguous thereto.

Also:

H. 1230. To amend Act No. 420, S. 387 of the Regular Session of 1939 (Local Acts, 1939, p. 252), which creates and establishes the County Commission of Calhoun County, amending Section 3 of said Act in order to redivide the county into districts for the purpose of electing the county governing body.

Also:

H. 260. To amend Section 666 of Title 7 of the Code of Alabama, 1940, as amended, relating to wages and salary of deceased employees.

Also:

H. 1163. Relating to Pickens County; prescribing the meeting dates for the Court of County Commissioners.

Also:

H. 1167. To regulate the compensation of jurors in counties having populations of not less than 20,100 nor more than 21,850.

Also:

H. 1186. To authorize the governing bodies of all counties having populations of not less than 100,000 nor more than 115,000, according to the most recent federal decennial census, and the governing bodies of the municipalities within such counties to create a county park and recreation authority, to appropriate funds to such authority, and to abolish any existing park and recreation boards upon the establishment of any authority pursuant to this Act.

Also:

H. 1187. To alter, rearrange, and extend the Corporate Limits line of the City of Tuscaloosa, in Tuscaloosa County, Alabama.

Also:

H. 1191. To amend further Act No. 17, H. 21, Regular Session 1957, an act levying county sales and use taxes in Bibb County (Acts 1957, v. 1, p. 43), so as to make further provisions respecting the rates of such taxes.

Also:

H. 1231. Relating to Coffee County: to provide further for the payment of expense allowances to members of the governing body of the county; to authorize such members to use county-owned motor vehicles when traveling on county business and to give this Act retroactive effect.

Also:

H. 1194. To change the method of compensating the sheriff of Bibb County, placing such officer on a salary basis; to provide that the fees, commissions, percentages and allowances provided the sheriff under the general law be paid into the county treasury; to provide for appointment and fix the compensation of a chief deputy, deputies, secretary and jailors, and to provide for the payment of expenses.

Also:

H. 1198. Relating to Bibb County; authorizing the county board of education to fix expense allowance for the county superintendent of education.

Also:

H. 1241. Relating to counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; to permit the county governing body to provide parking for certain persons; to repeal conflicting laws.

Also:

H. 1242. Relating to counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; to provide for the appointment and compensation of a bailiff in the county court in such counties; to repeal conflicting laws.

Also:

H. 1111. Relating to counties having populations of not less than 25,700 nor more than 25,900 according to the most recent federal decennial census; to authorize the governing body in such counties to provide additional deputies for the sheriff; to repeal conflicting laws.

Also:

H. 1260. To abolish the jurisdiction of justices of the peace and notaries public ex officio justices of the peace elected or appointed for any precinct in Barbour County in criminal and quasi-criminal cases.

Also:

H. 1259. To provide for offices and clerks of the tax collector and tax assessor of Barbour County at Eufaula; to divide Barbour County into a Eufaula Division and a Clayton Division and provide for the maintenance of records of the tax assessor and tax collector in each division; and to provide for the exercise of the powers of the tax collector and tax assessor in the appropriate division.

Also:

H. 1181. Relating to Russell County; providing for distribution of a portion of the county's share of the state gasoline excise tax to the incorporated municipalities in the county.

Also:

H. 1255. To amend Act No. 106, H. B. 618, approved February 12, 1879 (Acts 1878-79, p. 106), entitled, "An Act to regulate the holding of the circuit courts of Barbour County," so as to redefine the line dividing the county for the purpose of prescribing the jurisdiction of the court held at Clayton and the court held at Eufaula; and to prescribe the method of computing Sheriff's mileage.

Also:

H. 1189. To provide further for the dissolution of corporations organized to operate a municipal water, sewer, gas or electric system pursuant to Act No. 175 of the Regular Session of 1951 (Acts 1951, p. 416) in any county having a population of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; and to provide for the vesting of title to any property and assets then owned by such corporation in the municipality which authorized its incorporation.

Also:

H. 1106. Relating to counties having a population of not less than 24,800, nor more than 25,400; authorizing boards of equalization in such counties to meet 200 days per year and increasing the compensation of members to $15.00 per day.

Also:

H. 1254. To regulate further the probate court and probate office of Barbour County; to divide Barbour County into a Eufaula Division and a Clayton Division and provide for the maintenance of a probate office and probate records in each division and for the holding of probate court in each division; and to define the jurisdiction of each division of the court.

Also:

H. 1256. To establish a court of limited jurisdiction in criminal cases and civil actions at law in the eastern division of Barbour County to be known as the Eastern District Court of Barbour County; to prescribe the dividing line between the eastern and western divisions of such county; to define the jurisdiction and powers of the court hereby established; to provide for procedures in such court; to provide for its officers, their election or appointment, terms of office, powers, duties and compensation, and for costs and fees in such court; to authorize the transfer of any cases pending in the Court of Common Pleas of Barbour County to the court hereby established.

Also:

H. 1162. Relating to law enforcement in Marengo County; fixing the fee for the issuance of pistol permits; and providing for the deposit of such fees in the county general fund.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1157. Proposing an amendment to the Constitution relating to the levying of a special school tax in School District No. 1, Madison County, Alabama, which comprises all of Madison County, Alabama except for the City of Huntsville, Alabama.

Also:

H. 1193. Proposing an amendment to the Constitution of Alabama relative to Bibb County, authorizing the legislature to fix, regulate, and alter the costs, charges of courts, fees, commissions, allowances, or compensation to be charged or received by the sheriff of Bibb County.

Also:

H. 1202. To propose an Amendment to the Constitution of Alabama relating to Chambers County, so as to provide further for the use of the proceeds of the special property tax authorized to be levied pursuant to Amendment No. 72 for hospital and public health purposes.

Also:

H. 1223. Proposing an amendment to the Constitution of Alabama relating to Marengo County, and ordering an election thereto.

Also:

H. 512. To propose and provide for the submission of an Amendment to the Constitution of Alabama empowering the levy in the school district comprising all the territory of Lee County outside of the cities of Auburn and Opelika of a special annual ad valorem tax at the rate of 50¢ on each $100 of the assessed valuation of the taxable property in the said district for public school purposes therein upon authorization by the electors of the said district as herein provided.

Also:

H. 778. To propose an amendment to the Constitution of Alabama to authorize the Legislature to provide a Pension Fund for the Fire Fighters in Alabama and to levy a tax in support thereof.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEES ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report it has examined the following House Joint Resolutions, to-wit:

H. J. R. 121. Commending Mr. J. G. O'Brien of Tallassee for his career of community service.

Also:

H. J. R. 122. Relative to authorizing and creating an advisory board to the Tombigbee Valley Authority.

Also:

H. J. R. 125. Relative to meeting days and adjournment from August 20, 1969 through September 4, 1969.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 513. Creating a Special Commission to be known as the "Alabama Constitutional Commission", prescribing its purposes, duties and authority, and creating a fund providing appropriations for the payment of its expenses.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 899. To regulate further the time within which actions against persons who performed or furnished the design, planning, supervision or construction of improvements on real property, whether based on contract or tort, for damages arising out of any act or omission of such persons in the design, planning, supervision, or construction of such improvements must be commenced.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1079. To further amend Section 23 of Act No. 929 of the regular session of the Legislature of Alabama of 1951 (Ala. Acts, 1951, p. 1579 et seq.), which created for each city having a population of two hundred and fifty thousand (250,000) or more, according to the last or any succeeding federal census, a pension and relief or retirement system for officers and employees of such city.

Also:

H. 1081. Relating to counties having a population of not less than 600,000 according to the last or any subsequent Federal Decennial Census; to provide for additional times when real property may be returned and valued for ad valorem tax purposes.

Also:

H. 1083. To amend further the title, subsection (e) of Section 1, and Section 2 of Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965 (Ala. Acts, 1965, p. 717 et seq.), which established a pension system for the officers and employees of Jefferson County, Alabama.

Also:

H. 1036. To provide that upon a municipality annexing any district created under Act No. 79 of the Special Session of the Legislature of 1966 to fight or prevent fires, or to fight or prevent fires and collect and dispose of garbage, persons employed by the district to fight fires shall become employees of such municipality subject to the conditions stated in this Act.

Also:

H. 994. To authorize county governing bodies of the several counties to appoint a county engineer; to provide for his compensation; to provide for the qualifications and duties; and to provide for State participation in the salary of the county engineer.

Also:

H. 81. To authorize and permit teachers, who have retired under the Teachers' Retirement Act, to perform duties as substitute teachers in the public, elementary and high schools, when they are physically and mentally able to do so in the opinion of the employing authority, to prescribe the limitations therefor, and to repeal Act #1038 of the 1961 Legislature.

Also:

H. 236. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

Also:

H. 71. To confer on each municipality in the state the power to acquire and develop industrial parks and to expend moneys for such purpose, and the power to sell property forming a part of an industrial park for not less than the reasonable market value of the property so sold as established by independent appraisals.

Also:

H. 958. To further amend Chapter 7 of Title 2 of the Code of Alabama of 1940 by amending Sections 672, 674, 675, 676 and 677 relating to requirements for persons performing professional work or services pertaining to entomological, pathological, horticultural, floricultural, and tree surgery work; to define such work; to prescribe special requirements for structural pest control work including the annual permit, bond, insurance, training, experience and other requirements; prescribing the powers and duties of the Commissioner of Agriculture and Industries for administration and enforcement of said Chapter 7; and prescribing penalties for violations.

Also:

H. 803. To provide a state scholarship program to promote the education of nurses at the School of Nursing, Troy State University; and making an appropriation therefore.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1054. To amend Act No. 12, S. 69, Regular Session 1957 (Acts of Alabama, Vol. 1, Page 37) entitled "To provide for the employment of a clerical assistant by the tax collector of Macon County, whose compensation shall be paid from the county treasury."

Also:

H. 1053. Relating to Macon County; levying in such county additional privilege license and excise taxes, paralleling the state sales and use taxes provided for in Act No. 100, H. 94, Second Special Session 1959 (Acts 1959, p. 298), as amended, and Code of Alabama 1940, Title 51, Chapter 20, Article 11, as amended; providing for the collection of such taxes by the State Department of Revenue, and for the distribution and use of the proceeds thereof; providing for the enforcement of the act; and providing penalties for violations of the act.

Also:

H. 1052. To amend Section 1 of Act No. 38, H. 20, First Special Session 1963 (Acts 1963, p. 114) which act authorizes the board of revenue or like governing body of Macon County to levy a privilege or license tax on persons selling or distributing any malt or brewed beverages to retailers in Macon County; so as to increase the rate of the tax.

Also:

H. 1045. Relating to Macon County; amending further Act No. 334, H. 826, Regular Session 1939 (Local Acts 1939, p. 225) which created and established the board of revenue of Macon County.

Also:

H. 1043. To amend further Act No. 299, H. 630, Regular Session 1953 (Acts 1953, p. 360) entitled "An Act Relating to Macon County; providing for deputies sheriff and the amount and payment of their compensation."

Also:

H. 1046. Relating to Macon County; fixing the fee for issuance of pistol permits by the sheriff and providing for the distribution and use of such fees.

Also:

H. 1196. To amend Act No. 258, H. 607, Regular Session 1953 (Acts 1953, p. 325) which fixes the compensation of the jury commission of Bibb County so as to provide further for the compensation of such commission.

Also:

H. 1192. To provide for reimbursing the chairman or other presiding officer and the members of the county governing bodies of all counties having populations of not less than 14,300 nor more than 14,800 according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

Also:

H. 1195. Regulating the compensation of registrars of Bibb County, and providing for payment of additional compensation by the county.

Also:

H. 1232. Relating to counties having populations of not less than 51,000 nor more than 56,000; to provide clerk hire allowances for the judge of probate and for the sheriffs in such counties.

Also:

H. 1179. To fix the compensation of jury commissions in all counties having populations of not less than 51,000 nor more than 56,000.

Also:

H. 1122. Relating to counties having populations of not less than 42,000 nor more than 46,000, according to the most recent federal decennial census; to provide supplementary compensation for the secretary of the judge of the intermediate court in such counties; to repeal conflicting laws.

Also:

H. 1121. To amend Section 7 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

Also:

H. 1120. To alter, or rearrange the boundary lines of the Town of Holly Pond, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

H. 1208. To alter, or rearrange the boundary lines of the Town of Hanceville, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

H. 1123. To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payments, distribution and use of the proceeds so as to provide further for the use of the proceeds of such taxes.

Also:

H. 1257. To abolish the Court of Common Pleas of Barbour County; to provide for the transfer of cases and causes therein pending; and to repeal Act No. 623, H. 1223 of the Regular Session of 1961 (Acts of Alabama 1961, p. 738).

Also:

H. 1051. To regulate further the recording and indexing of deeds, mortgages and other documents and instruments, which are public records, by the probate judge of Barbour County; To provide for the recording of all instruments in one general series of books in each separate division of the county; to provide that instruments will have effect only in the division wherein recorded; providing for the re-indexing of certain records filed heretofore in each of the separate divisions of the county and the placing of a copy of such index in the division where the instrument was not filed; and providing for the binding and maintenance of copies of certain maps in each division of the county.

Also:

H. 1262. To provide for the supplemental compensation of the court reporter of the circuit court of any county having a population of not less than 48,500 nor more than 49,500, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws.

Also:

H. 1264. Relating to Baldwin County, prescribing the compensation of the Chief Deputy Sheriff.

Also:

H. 1266. Relating to Baldwin County; authorizing the county commissioners of such county to pay the salaries of additional deputy sheriffs, designate the fund out of which said salaries shall be paid; to prescribe their method of appointment and fix their duties.

Also:

H. 1280. To create the Inferior Court of Coffee County and provide for its jurisdiction and functions, and to abolish the Juvenile Court of Coffee County, and all criminal and quasi criminal jurisdiction of Justices of the Peace in said county.

Also:

H. 1281. To create a Deputy District Attorney for Coffee County, and to provide for his duties, selection and compensation.

Also:

H. 1282. Relating to Coffee County; to provide further for the distribution of fines and forfeitures in certain cases.

Also:

H. 1286. Relating to counties having populations of not less than 35,100 nor more than 36,100; to provide that the election precincts of the county as now established shall so remain until changed and the governing body of the county shall have exclusive power to establish, change, consolidate or alter election precincts in such county; to provide that the governing body of the county shall regulate and provide for the use of voting machines at all elections, special, general or primary held within the county, a political subdivision thereof or any municipality therein, and in so doing may, in the manner herein prescribed, divide any voting precinct of the county into districts, designate in each district a voting center at which the qualified electors of the district so designated may vote; to provide the time of changing boundary lines; to prescribe the number of voting machines to be maintained at each voting center; to provide for the use of paper ballots in voting centers where voting machines are not provided; to provide election officers for each voting center; to prescribe the duties of such election officers and fix their compensation; to prescribe the duties of the judge of probate in such elections; to provide for the manner of payment of such election officials.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1287. To alter or rearrange the boundary lines of the City of Opp, Covington County, Alabama so as to include within the corporate limits of said City all territory now within such corporate limits, and also certain other territory in Covington County, Alabama.

Also:

H. 1292. Relating to counties having a population of not less than 38,000 and not more than 45,000 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

Also:

H. 1293. Relating to counties having populations of not less than 41,000 nor more than 45,000, according to the most recent federal decennial census; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws.

Also:

H. 1295. Relating to counties having populations of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; to authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries; to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within such counties; and to repeal conflicting laws.

Also:

H. 1298. Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; to increase the compensation of the members of the jury commission in such counties; to repeal conflicting laws.

Also:

H. 1300. To apply only in counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census, providing a county supplement to the per diem compensation of members of the county board of equalization and repealing conflicting laws.

Also:

H. 1301. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

H. 1314. To amend Section 1 of Act No. 179, Acts of Alabama 1965, page 250, relating to counties having a population of not less than 27,000 nor more than 30,000, according to the most recent federal decennial census; to provide an additional expense allowance for members of the governing body of any such county payable out of county funds; to provide for actual expenses for travel outside the county on county business and to validate payments heretofore made for such travel.

Also:

H. 1329. A bill further regulating the salaries of the members of the Tax Equalization Board, Board of Registration, and Jury Commission in Randolph County, Alabama.

Also:

H. 1310. To make further provisions respecting distribution to municipalities in Madison County, under Act No. 708 adopted at the 1967 Regular Session of the Legislature of Alabama, of that portion allocated to municipalities in Madison County under the said Act No. 708 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Section 7 of the said Act No. 708, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities in Madison County under Section 3 of the said Act No. 708 that have not yet been distributed to the said municipalities.

Also:

H. 1330. Relating to Randolph County; regulating further the compensation, allowances, and duties of members of the Court of County Commissioners, Board of Revenue, or other like governing body of the county; repealing conflicting laws.

Also:

H. 1331. Relating to Randolph County; regulating further the number of Deputy Sheriffs for Randolph County and the salaries to be paid to said Deputies.

Also:

H. 1340. Relating to counties having populations of not less than 15,000 nor more than 15,300, according to the most recent federal decennial census; and providing for an expense allowance for the superintendent of education in such counties.

Also:

H. 1269. Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an expense allowance for the tax collector of such counties; and repealing conflicting laws.

Also:

H. 1332. To apply to all counties having populations of not less than 46,000 nor more than 46,500 according to the most recent federal decennial census and in which a special juvenile court has been established; to authorize the appointment of a probation officer to serve such court and to prescribe his qualifications, duties and authority; to authorize and direct the commissioner of the state department of pen-

sions and security to pay a portion of said probation officer's salary out of certain funds available to said department under certain conditions and to provide that the remainder of his salary and all other expenses shall be paid on a prorata basis by the governing bodies of the county and of the largest city therein of all counties to which this act applies.

Also:

H. 1270. Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an expense allowance for the tax assessor of such counties; and repealing conflicting laws.

Also:

H. 1267. Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; and providing an expense allowance for the probate judge of such counties.

Also:

H. 1276. To provide for the relief of Mrs. Helen D. Denton, of Union Springs, by any county having a population of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census.

Also:

H. 1268. Relating to counties having populations of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census; providing an additional deputy circuit clerk for such counties; and repealing conflicting laws.

Also:

H. 1404. To amend Section 1 of Act Number 432, House Bill 937, Regular Session, 1961 Legislature of Alabama, as amended by Act Number 28, Senate Bill 101, Special Session, 1966, Legislature of Alabama; an act to regulate the office of Sheriff in counties of more than 150,000 population and less than 300,000 population according to the last Federal census or any subsequent Federal census.

Also:

H. 673. To create a state forestry commission; to provide for the appointment of the commission members and to specify their authority and duties; to provide for the appointment of a state forester and assistant state forester and to specify their authority and duties; to provide for the transfer of all monies, records, and physical properties, both real and personal, of the Forestry Division of the Department of Conservation to the Alabama Forestry Commission; to provide for the staff and personnel of the Forestry Commission; to provide for the jurisdiction and the authority for the commission over the state forests and other lands; to provide for the compensation and expenses of the commission members and the state forester and assistant state forester; to provide the rule-making power of the commission; to provide for a fund to be known as the Alabama Forestry Commission Fund; and repeal all laws or parts of laws in conflict with the provision of this Act.

Also:

H. 1180. To regulate the compensation of members of the county board of education in counties having populations of not less than 25,800 nor more than 26,700 according to the 1960 or any subsequent federal decennial census.

Also:

H. 596. Applicable in each county having a population exceeding 600,000 according to the then next preceding federal decennial census; and providing that a permit from the governing body of each such county shall be a prerequisite to the use of public highways and other public ways in the county for construction, installation or commencement of operation therein of public water facilities.

Also:

H. 990. To amend Section 6 of Act No. 175 enacted at the 1951 Regular Session of the Legislature of Alabama, as heretofore amended, so as to provide that if at any time any corporation organized thereunder or whose certificate of incorporation has been amended thereunder (regardless of whether it has ever issued any bonds) does not have any bonds outstanding, its Board of Directors may adopt a resolution declaring that such corporation shall be dissolved and that upon the filing for record of a certified copy of such resolution in the office of the Judge of Probate of the county wherein the certificate of incorporation of such corporation was filed, such corporation shall stand dissolved and title to any property and assets then owned by it shall (except as otherwise provided in Section 7 of said Act No. 175) vest in the municipality which authorized its incorporation.

Also:

H. 1077. To further amend Section 9 of Act No. 929 of the regular session of the Legislature of Alabama of 1951, approved September 12, 1951, (General Acts of Alabama 1951, page 1579, et seq.) entitled: "An Act to create or provide in or for each and every city of the state of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal Census a pension and relief or retirement and relief system for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system."

Also:

H. 1078. To authorize any city having a population of 300,000 or more according to the last or any subsequent federal decennial census, in which said city there shall have been or hereafter shall be created a public building corporation as provided for in Act Number 493, 1955 Acts of Alabama, as now or hereafter amended, to lease or convey to such public building corporation any property which shall have been acquired by such public building corporation as a result of any "Project" after the bonds have been paid in full, notwithstanding Section 21 of said Act Number 493, as same may have been or may hereafter be amended.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 320. Relating to the Eighteenth Judicial Circuit; providing for an additional Circuit Judge in such Circuit.

Also:

H. 755. To make an appropriation from the state treasury to the use of the State Department of Education in matching funds provided by the Daughters of the American Revolution for capital outlay purposes at the Kate Duncan Smith School at Grant, Alabama.

Also:

H. 811. To authorize every public corporation heretofore or hereafter organized or created in this state pursuant to authorization or determination by a municipality or by its governing body, which public corporation now or hereafter owns a water system or systems, and any municipality in this state in which any part of such water system or systems is situated, without an election, and with or without consideration, to transfer and convey such system or systems and all right, title and interest therein, including without limitation all reversionary, residuary or remainder rights provided by law, to any other public corporation whose certificate of incorporation was filed in the office of the Probate Judge of the same county in which was filed the certificate of incorporation of the public corporation proposing to make the transfer and conveyance or in the office of the Probate Judge of an adjacent county; to require the public corporation proposing to make such transfer and conveyance to make provision for the payment and retirement of any bonds, mortgages, indentures, resolutions or other obligations including revenue bonds or other securities payable from or secured by a pledge of the revenues or earnings of or constituting a lien upon the water system or systems proposed to be transferred and conveyed or to require the assumption thereof by the transferee public corporation; to authorize each public corporation and municipality to enter into any agreements and to execute any instruments which their respective governing bodies may deem necessary or appropriate in order to carry out the provisions of the Act; to provide for the publication and posting of a notice of the proceedings taken or to be taken under the Act; to limit the time within which any proceedings may be commenced in any Court with respect to the matters referred to in said notice; to provide that the provisions of this Act shall be cumulative; to provide that all matters authorized in the Act shall be exempt from all jurisdiction of and regulation by the Alabama Public Service Commission and by any other regulatory body; to provide for the severability of the provisions of this Act; and to provide the effective date of this Act.

Also:

H. 1013. To provide additional revenue in Lee County; levying in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1969, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such license tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violations of the Act.

Also:

H. 621. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

Also:

H. 622. To make appropriations from the State Treasury for Capital improvements.

Also:

H. 189. To abolish the Office of Securities Commissioner of Alabama and create in lieu thereof the Alabama Securities Commission; to provide for the appointment, powers, duties, authority, term of office and compensation of members of the Alabama Securities Commission; to provide for the appointment of a director of the Securities Commission and to prescribe his qualifications, powers, duties, authority and compensation; to authorize and provide for the employment of a Deputy Director and other necessary personnel; and to transfer the authority, powers, duties, rights, privileges and immunities heretofore vested in the Securities Commissioner, along with the records, files, furniture, personnel and equipment appertaining to such office and any unexpended funds appropriated for the salary of such Commissioner and his assistants and the expenses of administering the Alabama securities law to the Alabama Securities Commission.

Also:

H. 1038. To amend Title and Section 19½ and to repeal Section 32 of Act No. 78, Special Session, 1961, (Acts of Alabama of 1961, p. 1955), as amended, which Act regulated the teaching and practice of cosmetology in any county having a population of less than 600,000 according to the last or any subsequent federal decennial census and creating a State Board of Cosmetology so as to regulate further such teaching and practices and the registration and license fees therefor so as to make such Act applicable to all counties of the State of Alabama.

Also:

H. 1258. To establish a court of limited jurisdiction in criminal cases and civil actions at law in the western division of Barbour County to be known as the Western District Court of Barbour County; to prescribe the dividing line between the eastern and western divisions of such county; to define the jurisdiction and powers of the court hereby established; to provide for procedures in such court; and to provide for its officers, their election or appointment, terms of office, powers, duties and compensation, and for costs and fees in such court.

Also:

H. 793. To amend Sections 1 and 2 of Act No. 230, H. 597, Regular Session 1959 (Acts 1959, p. 775) which act authorizes the court of county commissions of Lee County to levy a privilege or license tax on persons selling or distributing any malt or brewed beverages to retailers in Lee County; so as to increase the rate of the tax and to provide for the use of the proceeds from such increase.

Also:

H. 1339. Relating to counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census; to provide for the compensation of the clerk of the intermediate court if there is such a court in such counties; and to pro-

vide further for the compensation of the secretary of the district attorney of the district containing any such counties; and to repeal conflicting laws.

Also:

H. 1203. To apply only in counties having populations of not less than 16,200 nor more than 17,200 inhabitants, authorizing the county board of education to fix expense allowances for members of the board.

Also:

H. 972. To apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional expense allowances for the tax collector of each of such counties.

Also:

H. 91. To amend Code of Alabama 1940, Title 35, Section 102, which provides exemptions from state toll bridge and tunnel fees, and automobile fees to certain members of the state militia, so as to extend the exemption relative to automobile fees to noncommissioned officers and enlisted men in the active national guard of Alabama.

Also:

H. 973. To apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional expense allowances for the tax assessor of each of such counties.

Also:

H. 841. To fix the salary of the Chief Examiner and the Assistant Chief Examiner.

Also:

H. 842. To provide for assistant legal counsels for the Chief Examiner and Department of Examiners of Public Accounts and to make an appropriation to carry out the provisions of this act.

Also:

H. 57. To provide for the depositing of a valid Driver License in lieu of bail for violation of certain traffic laws of incorporated municipalities.

Also:

H. 439. To transfer and reappropriate certain monies heretofore appropriated to the Farmers Market Authority for other expenses to such Authority's account for equipment purchases; and to authorize and regulate the use of funds hereby transferred and reappropriated.

Also:

H. 796. To provide for the control and disposal of solid wastes as generated by the general public, businesses, institutions and industry, and to authorize counties and municipalities to provide for collection and disposal of solid wastes and charge a fee therefor, and to contract for such services to be performed by others, and to permit the formation of districts or areas beyond corporate limits, or cooperative joint or mutual agreements between county governments and municipal governments for the operation and implementation of solid wastes management in a manner meeting public health standards, and granting au-

thority for the establishment of rules and regulations to enforce the provisions of this Act, and to provide a penalty for violating this Act or rules and regulations pursuant thereto, in the interest of the public health, comfort and safety.

Also:

H. 728. To amend Act No. 168 (H. 270) Special Session of 1966 relating to the Alabama Historical Commission by increasing the Commission membership from eleven to fifteen persons.

Also:

H. 566. To provide for inclusion of shelters from radioactive fallout in new public buildings and structures erected in the state wherein the use of state funds are involved, including all public school buildings and structures and buildings or structures of colleges and universities.

Also:

H. 567. To authorize municipalities and county governing bodies to require the inclusion of radioactive fallout protection in new public buildings or structures.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RECESS

On motion of Mr. Mathews, the House recessed for twenty minutes for a meeting of the Standing Committee on Ways and Means, from 3:10 P. M. to 3.30 P. M.

HOUSE RECONVENED

The hour of 3:30 P. M. having arrived, the House reconvened. The Speaker called the House to order.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 733. To provide for voluntary and temporary or emergency admissions of patients at certain state hospitals and facilities maintained for treatment of the mentally ill, and to repeal conflicting laws.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 632. To amend Act No. 566, Regular Session 1959 (Acts 1959, p. 1424) relating to frauds concerning checks, drafts, or orders by removing the ten day limitation for proof of payment to overcome the presumption of fraud raised by refusal by the drawee.

Also:

H. 309. To further amend Section 18 of Title 61 of the 1958 Recompiled Code of Alabama which relates to the right of a widow to dissent from the will of her deceased husband.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 780. To provide for a Dockets Clerk of the Court of Appeals of Alabama, to provide for the duties of said Dockets Clerk, to fix the compensation, and to make an appropriation for carrying out the provisions of this act.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 35. Relating to counties having populations of not less than 46,500 nor more than 48,000; to authorize certain cities within such counties to consolidate; to prescribe the method of consolidation; to provide

that the city created from such consolidation shall succeed to the powers, obligations, duties and rights of cities consolidated therein; to provide for a referendum election to determine if this act shall become effective.

Also:

H. 949. Relating to counties having populations of not less than 47,000 nor more than 49,000; authorizing the county governing body to contribute county funds, within the limit herein prescribed, for the use of any non-profit volunteer rescue squad operating within the county.

Also:

H. 1018. Relating to judicial circuits composed of one county which county has a population of not less than 47,000 and not more than 49,000 and which county has two courthouses; authorizing the district attorney of such circuit to appoint a secretarial assistant; to prescribe the powers, duties and compensation of such assistant; and to provide for the payment of his compensation out of the general fund of the county composing such circuit.

Also:

H. 1095. Relating to the office of the sheriff of Colbert County; creating a civil service board of appeals, regulating tenure of employment for deputies, and prescribing the authority and the qualifications, terms, duties, and compensation of members of the board.

Also:

H. 1204. Relating to counties having populations of not less than 46,500 nor more than 48,000 to provide protection to recipients of old age assistance; requiring such recipients to receive counseling before entering into certain financial agreements.

Also:

H. 1328. Relating to counties having populations of not less than 150,000 nor more than 300,000, according to the most recent federal decennial census; to exempt art guilds and their property from state, county, and municipal taxes, licenses, fees, and excises, under certain prescribed conditions; to repeal conflicting laws.

Also:

H. 1349. Relating to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census; providing for the payment by such counties of the salary and expenses of an investigator appointed by the district attorney of the judicial circuits in which such counties are located.

Also:

H. 1352. Relating to counties having a population of not less than 16,300 and not more than 17,300 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

Also:

H. 1363. Relating to Franklin County; to regulate the compensation of members of the county board of registrars and to provide for payment of additional compensation from the county treasury.

Also:

H. 1405. To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in Counties having a population of not less than 150,000 nor more than 300,000 persons, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

Also:

H. 1035. To alter or rearrange the boundary lines of the City of Northport, Tuscaloosa County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous thereto, in Tuscaloosa County, Alabama.

Also:

H. 1082. To further amend Act No. 502 of the Legislature of Alabama of 1923, approved September 29, 1923, (General Acts of Alabama of 1923, page 663, et seq.), which established a policemen's pension system for cities having a population of 100,000 or more, as re-enacted by Act No. 283 of the Legislature of Alabama of 1943, approved June 28, 1943, (General Acts of Alabama of 1943, page 241 et seq.), as heretofore amended.

Also:

H. 1347. Relating to counties having populations of not less than 14,300 nor more than 14,800, according to the most recent federal decennial census; to authorize the court of county commissioners, or other like governing body, in such counties to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance; to repeal conflicting laws.

Also:

H. 1348. Relating to counties having populations of not less than 19,500 nor more than 20,000, according to the most recent federal decennial census; to authorize the court of county commissioners, or other like governing body, in such counties to make an annual appropriation to the tax assessor and tax collector for clerk hire allowance; to repeal conflicting laws.

Also:

H. 1360. Relating to Franklin County; to fix the compensation of members of the jury commission.

Also:

H. 1364. Relating to Franklin County; to regulate and provide for the payment of compensation of election officers.

Also:

H. 1365. Relating to Franklin County; to provide additional expense allowances for members of the county board of education.

Also:

H. 1366. Relating to Frankling County; to provide a county supplement to the per diem compensation of members of the county board of equalization.

Also:

H. 1367. Relating to Franklin County; to regulate the compensation of jurors.

Also:

H. 1419. To provide a method for issuing motor vehicle license tags by mail in counties having a population of not less than 55,000 nor more than 60,000 according to the last or any subsequent federal decennial census by any Judge of Probate or License Commissioner charged with the duty of issuing such license tag.

Also:

H. 1420. Relating to the Fourth Judicial Circuit; providing for a supplemental salary to be paid from Dallas County funds to the associate circuit judge residing in said county.

Also:

H. 1388. To amend Section 10 of Act No. 556 of the 1959 Regular Session of the Legislature of Alabama (Acts of Alabama, 1959, pages 1376, et seq.), as amended, which Act established a Pension and Relief or Retirement and Relief System for firemen and policemen who are members of any Pension and Relief System heretofore established or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951, (Acts of Alabama 1951, page 1579, et seq., as amended).

Also:

H. 1391. To amend Section 10 of Act No. 497 of the Regular Session of the Legislature of Alabama, 1965, approved August 20, 1965 (Ala. Acts 1965, p. 717) as heretofore amended, which Act establishes a pension system for officers and employees of Jefferson County, Alabama.

Also:

H. 1393. To further amend Act No. 497 of the Legislature of Alabama of 1965, approved August 20, 1965 (Ala. Acts, 1965, p. 717 Et Seq.), which established a Pension and Retirement System for officers and employers of Jefferson County.

Also:

H. 1394. To fix the compensation or salary of the Judges of the Criminal Court of Jefferson County and to regulate the payment of the salaries of said judges.

Also:

H. 1398. To amend Act No. 91, H. 63, First Extra Session 1964 (Act 1964, Page 124), an act fixing the salary of a certain deputy circuit clerk of the tenth judicial circuit.

Also:

H. 816. To provide further for the admission of the mentally retarded to certain state hospitals and facilities.

Also:

H. 1409. To alter, rearrange and extend the boundaries and corporate limits of the City of Pell City, St. Clair County, Alabama, so as to annex certain territory to the city.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1377. Relating to counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; providing for the health and welfare of children; requiring the mandatory reporting by physicians, institutions, and others of injuries inflicted, by other than accidental means, upon children under the age of sixteen years; exempting physicians, institutions and others from any liability, civil or criminal, that might otherwise be incurred or imposed for participation in such report; prescribing penalties for failure to report.

Also:

H. 1243. Relating to counties having a population of not less than 110,000 nor more than 160,000, prohibiting the pollution, discoloration, contamination, clogging or diversion of public streams, and providing penalties for violations.

Also:

H. 1408. Proposing an amendment to the Constitution of Alabama authorizing the imposition of a trial tax or other charge on litigation in certain courts of Russell County, the proceeds to be used for establishing, maintaining and operating a public law library in such county.

Also:

H. 1333. To authorize and provide for the establishment, maintenance, equipping, operation and financing of a public law library in Russell County; and to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within the county.

Also:

H. 273. To provide for the compensation to be paid circuit judges by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

Also:

H. 1135. To amend subparagraph (b) of Section 4 of Act No. 672 H. 923 of the regular session of 1967 (General Acts 1967, Page 1496), which was an Act to authorize any county having a population of 500,000 or more, according to the last or any subsequent federal census to adopt a building code or ordinance designed to prevent fire and to protect the people of the county from the loss of property and the loss of life consequent to fires, which building code or ordinances shall apply only in the unincorporated area of the county; so as to authorize the adoption of such code or ordinance without regard to whether a

majority of the qualified electors residing in the area wherein the code shall apply are in favor of the adoption of the code and without regard as to whether the adoption of the proposed code would result in substantial savings in respect to fire insurance rates.

Also:

H. 679. To authorize the governing body of every county of the State having a population of 500,000 or more according to the last or any subsequent Federal census to adopt and enforce ordinances designed to promote the orderly and safe movement of pedestrian and vehicular traffic on the public highways and roads in areas of the county not situated within the boundaries of any municipality; to authorize any such governing body to adopt and enforce ordinances prescribing speeds at which it shall be lawful and speeds at which it shall be unlawful to operate vehicles on such public highways and roads; to authorize any such governing body to adopt and enforce ordinances providing for the installation or maintenance of traffic signs, traffic signals, traffic lines, traffic lanes and other devices designed to regulate and control vehicular and pedestrian traffic on such public highways and roads, to authorize any such governing body to adopt and enforce ordinances containing regulations and prohibitions regarding the parking of vehicles on such public highways and roads; to provide that no such governing body shall have the authority to adopt any ordinances applying within the corporate limits of any municipality and that no ordinance adopted under this Act shall have any effect or force within the corporate limits of any municipality; to provide that no such governing body shall have the power to pass any ordinance inconsistent with any law of the State or with any ordinance of any municipality applying within the police jurisdiction thereof; to provide that if there is any such conflict, the State law or the municipal ordinance shall prevail over the ordinance adopted by the governing body of the county, insofar as there is any such conflict; to provide for the procedure by which the governing body shall adopt an ordinance under this Act; to provide that no ordinance adopted under this Act shall take effect until it has been published in a newspaper of general circulation in the County; to provide that all courts of the State shall take judicial notice of all ordinances adopted under this Act; to provide that the violation of any ordinance adopted under this Act shall constitute a misdemeanor and to provide the punishment to be imposed upon one convicted of any such violation; to provide that the fees and costs of court in cases involving the violation of any such ordinance shall be the same as the laws prescribe generally for misdemeanors in that court wherein the cases involving such violation arises; to repeal all laws or parts of laws in conflict with this Act to the extent of such conflict; and to provide when this Act shall become effective.

Also:

H. 1303. To authorize and regulate cooperation in counties having populations of 600,000 or more, according to the most recent federal decennial census, among and between the county, municipalities, other governmental subdivisions and public corporations therein, the state and the federal government on a basis of mutual advantage in order better to provide services and facilities to fill the needs of the inhabitants thereof and promote the full development of area.

Also:

H. 1399. To provide for the payment of expense allowance for county officers serving in the positions of Tax Assessor, Tax Collector, Treasurer, Probate Judge, and Members of the County Board of Registrars in all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census.

Also:

H. 1396. To fix the compensation or salary of the Register of the Circuit Court in all Counties having a population of 600,000 or more according to the last or any succeeding Federal census and to provide for the payment thereof.

Also:

H. 1426. To fix the compensation or salary of the Sheriff of all counties having a population of Six Hundred Thousand (600,000) or more according to the last or subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 1381. To further amend Act No. 497 of the Regular Session of the Legislature of Alabama of 1965 (Ala. Acts, 1965, p. 717), establishing a retirement system for employees and officers of Jefferson County, Alabama, as heretofore amended.

Also:

H. 1382. To amend Section 4 of Act No. 556 of the Legislature of Alabama of 1959, approved November 19, 1959 (Acts of Alabama 1959, Page 1376 et seq.), as amended, which Act established a Pension and Relief or Retirement and Relief System for firemen and policemen who are members of any Pension and Relief System heretofore established or hereafter established under Act No. 929 of the Legislature of Alabama of 1951, approved September 12, 1951 (Acts of Alabama 1951, Page 1579, et seq., as amended).

Also:

H. 1383. To amend Act Number 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, pages 1579 et seq.) entitled, "To create or provide in or for each and every city of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a Pension and Relief or Retirement and Relief System for officers and employees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such System."

Also:

H. 1384. To fix and provide for the compensation or salary of the Assistant or Associate Judges of Probate in counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

Also:

H. 1385. To further amend Act No. 497 of the Regular Session of the Legislature of Alabama of 1965, approved August 20, 1965, (Ala. Acts, 1965, p. 717 et seq.), which Act established a Pension System for officers and employees of Jefferson County.

Also:

H. 1386. To fix the compensation or salary of the Judges of the Civil Court of Jefferson County and to regulate the payment of the salaries of said Judges.

Also:

H. 975. Providing further for payment of the salaries of state officers and employees; amending Section 148, Title 41, Code 1940.

Also:

H. 779. To establish a pension fund for Alabama Fire Fighters to be known as the Alabama Fire Fighters Pension Fund; to prescribe conditions for joining, withdrawing from, and continuing membership in the fund; to regulate the payment of pensions and benefits from the fund; to provide for the management and administration of the fund by a board of trustees; to prescribe the membership of the board, to provide for the election and terms of office of members thereof, and prescribe their powers and duties; to establish the office of secretary-treasurer of such board, provide for his employment, his salary, and his bond; and for the purpose of financing the fund to levy and provide for the collection of an additional tax on insurers against fire, lightning, and related hazards, to fix membership dues, and authorize gifts, contributions and donations to the fund.

Also:

H. 820. To further amend Act No. 661 of the 1951 Regular Session approved September 4, 1951 (1951 General Acts, Vol. 2, p. 1125) as amended by Act No. 17 of the Second Extra Session of the Legislature of 1956 approved March 16, 1956 (1956 General Acts, Vol. 1, p. 276), as amended by Act No. 680 of the 1961 Regular Session approved September 8, 1961 (1961 General Acts, Vol. 1, p. 961), which Act and amendments thereto define and regulate the issuance of licenses to barbers, barber shops, barber colleges and other like business and establishes a barber commission in all counties of the State having a population of 400,000 or more, according to the last or any subsequent federal census, and establishing an inspector, and granting powers to the barber commission to make rules and regulations.

Also:

H. 471. To provide for the compensation to be paid the circuit district attorney by counties having a population of 600,000 or more according to the last or any subsequent decennial federal census.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 847. To provide for reimbursing the members of the county governing bodies of all counties having populations of not less than

13,500 nor more than 14,200, according to the most recent federal decennial census for certain expenses incurred in travel outside their respective county.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1392. To establish an Inferior Court in Precincts 4, 5, 6, 7, 8, 9 and 10 and all other precincts lying within or partly within the City of Birmingham in lieu of all Justices of the Peace in said precincts, and in lieu of all Notaries Public with powers of Justices of the Peace and with concurrent Jurisdiction with all other Justices of the Peace and Inferior Courts created in lieu of Justices of the Peace in the Birmingham Division of Jefferson County, Alabama, where the amount in controversy is $100.00 or less; this court shall be a court of record and shall have concurrent jurisdiction with the Circuit Court, Tenth Judicial Circuit of Alabama, Birmingham Division, sitting in Birmingham, and with such other inferior courts in Jefferson County where the amount in controversy exceeds the sum of $100.00 and does not exceed the sum of $500.00; to define the jurisdiction and powers of said Court, the judge, clerks and other officers thereof: to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election, and the payment of his salary: to provide for the abolishment of the Court of General Sessions of Jefferson County formerly known as the Court of Common Claims: to provide for the transfer of all pending cases and records of the said court to the court created by this Act.

Also:

H. 1265. Applying only in counties having populations of not less than 48,500 nor more than 49,500, according to the most recent federal decennial census; providing for additional meetings of the governing bodies of such counties and for additional compensation and expense allowances for the members of said body, including the chairman.

Also:

H. 1137. To further amend Act Number 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, Page 1579, et seq.) entitled: "An Act to create or provide in or for each and every city of the state of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a pension and relief or retirement and relief system for officers and em-

ployees of such city and their widows and children; to make the provisions of such system retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any county in which any such city may be located as officers and employees of such city for the purpose of retrospective and prospective application of the terms or provisions of such system", so as to make the provisions of such system applicable on and after September 1, 1969 to classified service employees of the civil defense agency whose territorial jurisdiction or responsiblities include the territory of any such city, and also applicable to certain employees of a civic center authority.

Also:

H. 1416. To amend further Act No. 421, H. 932, Regular Session, 1957 (Acts 1957, p. 587), an act authorizing the appointment of an assistant to the Sheriff for the Bessemer Division of Jefferson County, in relation to the salary of said assistant.

Also:

H. 274. To amend Section 142, Chapter 7, Title 52, Code of Alabama, 1940, as amended.

Also:

H. 1400. To fix the compensation or salary of the President and members of the County Commission, or other governing body, of all counties having a population of six hundred thousand (600,000) or more according to the last or any subsequent federal census. To provide for the manner of payment thereof and to repeal all laws in conflict herewith.

Also:

H. 1390. To provide for the payment of expense allowances for county officers serving in the position of a member of the Board of Equalization and Adjustments in all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census.

Also:

H. 1387. To provide for the payment of expense allowance for county officers serving in the positions of Deputy Tax Assessor, Deputy Tax Collector, Deputy Treasurer in all counties having a population of 600,000 or more according to the last or any subsequent federal decennial census.

Also:

H. 1395. To fix the compensation or salary of the deputy probate judges or assistant judges of probate of any branch office of the Probate Court in counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

Also:

H. 635. To amend further Section 2 of Act No. 217, S. 23 of the 1967 Special Session of the Legislature of Alabama (Acts, 1967, p. 259), so as to exempt from the provisions of said act contracts relating to medical clinic boards organized under the provisions of Act No. 516 adopted at the 1955 Regular Session of the Legislature of Alabama, as amended by Act No. 109 adopted at the 1965 First Special Session of the Legislature of Alabama.

Also:

H. 1397. To provide for the compensation to be paid the Deputy District Attorney who is elected by the people, and the Assistant Deputy District Attorney, in counties having a population of six hundred thousand or more, according to the last or any succeeding decennial federal census and to provide for the payment of the same and to provide the date when said Act shall go into effect.

Also:

H. 1037. To repeal Act No. 558, House 1070, Regular Session, 1931, (Acts 1931, p. 1653), as amended, which relates to the Jefferson County Board of Cosmetological Examiners.

Also:

H. 1284. To amend Sections 1 and 2 of Act No. 486, H. 765, approved July 9, 1943, an act creating the Cahaba Historical Commission, so as to increase the membership of the board of trustees; to provide for the manner of their appointment; and to grant additional authority to the board.

Also:

H. 749. To prohibit the discharge of litter and sewage and certain other materials from a watercraft into the waters of this State; to prohibit discharge of untreated sewage from marine toilets; to require treatment of sewage discharged by marine toilets; to authorize the State Board of Health to adopt rules and regulations for discharge of sewage and litter from watercraft, including requirements for permits to restrict manufacturers of marine toilets and devices to comply with regulations; to authorize revocation of certification of watercraft after certain convictions; to require litter or trash receptacles for marinas; to provide for enforcement by the Board of Health and Department of Conservation; to prescribe the method of prosecution and penalties for violation of this Act and rules and regulations; to require fines to be paid into the General Fund and to provide for expenditures of funds for carrying out this Act from Federal Funds or other funds available to the Board of Health or state.

Also:

H. 534. To provide for the supervision, management, development, and control of certain State-owned islands in the waters of Alabama.

Also:

H. 861. To amend Act No. 126 adopted at the Second Special Session of 1959 of the Legislature of Alabama so as to amend Section 9 thereof specifying certain changes in the details pertaining to the bonds issued under the provisions of the said act.

Also:

H. 889. To make an annual appropriation, out of moneys derived from the excise tax known as the use tax and required to be paid into the Alabama Special Educational Trust Fund, for the education and training of exceptional children, including the administration, maintenance and operation of classrooms and classes and payment of teachers for such classes; and to repeal Section 3 of Act No. 105 adopted at the Second Special Session of 1963 of the Legislature and Section 3 of Act No. 67 adopted at the Regular Session of 1963 of the Legislature.

Also:

H. 862. To amend Act No. 243 adopted at the Special Session of 1965 of the Legislature of Alabama so as to amend Section 9 thereof specifying certain changes in the details pertaining to the bonds issued by Alabama Public School and College Authority under the provisions of the said act.

Also:

H. 1107. To authorize the court of county commissioners, board of revenue, or like governing body of the several counties of this state, to appropriate funds of the county to the Lurleen B. Wallace Memorial Cancer Hospital Fund, Inc.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 117. To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in the various counties of the State of Alabama having a population of less than 600,000 population according to the last federal census, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 44. To Regulate The Establishment And Operation Of Separate Accounts By Life Insurance Companies Incorporated Under The Laws Of This State In Connection With Certain Individual And Group Contracts Providing Benefits Payable In Fixed Or In Variable Dollar Amounts, Or In Both.

Also:

S. 201. To regulate the business of buying and selling livestock by requiring persons engaged in such business to be licensed and bonded; prescribing the method for determining the amount of said bond; authorizing the Commissioner of Agriculture and Industries to promulgate rules and regulations to effectuate this act, and providing a penalty for violations.

Also:

S. 218. To provide in all counties having less than 600,000 population according to the last or any subsequent federal decennial census for an expense allowance for each county inferior court judge in this state who is required to hold court sessions at three different court houses in the county; and providing for the payment of such expense allowance out of the general fund of such counties.

Also:

S. 311. To make an appropriation to the Department of Agriculture and Industries for the two fiscal years ending September 30, 1970 and September 30, 1971, to indemnify owners of swine for the value of any swine ordered condemned and destroyed for the prevention and eradication of the disease of cholera.

Also:

S. 538. Relating to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, providing further for the expense allowances of the members of the county governing body.

Also:

S. 539. Relating to all counties having populations of not less than 57,000 nor more than 61,000, according to the most recent federal decennial census, providing further for the expense allowances of the chairman of the county governing body.

Also:

S. 544. To fix expense allowances of Courts of County Commissioners, Boards of Revenue or like governing bodies of all counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, with retroactive effect.

Also:

S. 638. To amend further Act No. 355, H. 757, Regular Session 1953, (Acts 1953, p. 423), which relates to the office of sheriff of Limestone County so as to delete from said act the requirement that the county furnish the sheriff a house in which to reside during his term of office.

Also:

S. J. R. 81. Commending Honorable Leroy Stevens.

Also:

S. J. R. 82. Naming the new vacation park on Lake Eufaula the Albert Brewer Lakepoint Resort.

Also:

S. J. R. 83. Creating a joint interim committee to study modernization of legislative processes.

Also:

S. J. R. 84. Mourning the death of Mr. Samuel Wright.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 124. To further provide for supernumerary district attorneys.

Also:

S. 208. To promote highway safety; to authorize the director of public safety to enter into agreements with authorities in charge of federal military installations providing for and regulating the reciprocal recognition of point values assessed against drivers of motor vehicles because of violations of motor vehicle and traffic laws under the Traffic Point Systems applicable in the State of Alabama and on such installations.

Also:

S. 215. Relating to retirement systems for certain county employees in all counties having populations of not less than 31,500 nor more than 32,200, according to the most recent federal decennial census; providing further for eligibility for membership in such retirement systems.

Also:

S. 286. To repeal Act No. 293, H. 35, approved July 26, 1951, an act imposing extra, new and additional duties upon the commissioner of agriculture and industries in relation to or connected with the department of corrections and institutions, eleemosynary institutions, and the state highway department (Acts 1950-51, v. 1, p. 585).

Also:

S. 448. To alter, rearrange and extend the boundaries of the Town of Blue Springs, so as to include within the corporate limits thereof certain additional territory in portions of Sections 14, 15, 22, and 23, Township 8 North, Range 25 East, Barbour County, Alabama.

Also:

S. 449. To alter, rearrange and extend the boundaries of the Town of Blue Springs, so as to include within the corporate limits thereof certain additional territory in portions of Section 13, 14, 23, and 24, Township 8 North, Range 25 East, Barbour County, Alabama.

Also:

S. 572. To alter, or rearrange the boundary lines of the Town of Good Hope, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

S. 573. To amend the title and Sections 1, 2, 3, 4 and 5 of Act No. 481, H. 872, Regular Session 1961 (Acts 1961, p. 540) which act authorizes the establishment of a recreation board in all cities having a population of as many as 100,000 and not more than 200,000 people according to the last or any subsequent decennial federal census and provides for the appointment, duties, powers and authority of said board and that of any such municipality with respect to furnishing recreational facilities independently or jointly with the county or city or county school board, so as to include parks within the purview of this act.

Also:

S. 593. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Colbert County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collection of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel. To provide further for the distribution of fines and forfeitures in certain cases.

Also:

S. 624. Relating to counties having a population of not less than 100,000 nor more than 115,000; providing expense allowances for certain officers in such counties.

Also:

S. 644. To redivide the State into judicial circuits so as to create the Thirty-seventh Judicial Circuit, and to provide for a judge and solicitor of the newly created circuit or for a solicitor in the Fifth Circuit as the case may be.

Also:

S. 647. To provide an additional and alternative method of assessing, paying taxes on and issuing license tags for motor vehicles, in counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census.

Also:

S. 676. To require the teaching of Bible history in all public high schools in counties having populations of not less than 33,000 nor more

than 35,000 according to the most recent federal decennial census; to provide for instructors of such courses; to repeal conflicting laws and specifically to repeal and supersede conflicting provisions of Sections 322 and 408 of Title 52, Code of Alabama 1940, as amended to the extent of such conflict as to all counties to which this act applies.

Also:

S. 691. To extend, alter and rearrange the boundary lines and corporate limits of the town of Lincoln, Talladega County, Alabama:

Also:

S. 693. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 23, 25, 26 and 35, Township 16 North, Range 18 East, Montgomery County, Alabama.

Also:

S. 694. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 1, Township 16 North, Range 18 East, Montgomery County, Alabama.

Also:

S. 695. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 27 and 28, Township 16 North, Range 17 East, Montgomery County, Alabama.

Also:

S. 696. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 31, Township 16 North, Range 18 East, Montgomery, Alabama.

Also:

S. 697. To apply only in counties having populations of not less than 40,000 nor more than 45,000; providing an expense allowance payable from the county treasury for the use of the coroner.

Also:

S. 698. To amend Section 7 of Act No. 66, H. 105, Second Special Session 1963 (Acts 1963, p. 228), an act levying sales and use taxes in Cullman County and providing for the ascertainment, collection, payments, distribution and use of the proceeds so as to provide further for the use of the proceeds of such taxes.

Also:

S. 699. To amend Section 7 of Act No. 163, H. 168, approved March 30, 1965, an act creating the Cullman County Intermediate Court.

Also:

S. 715. To amend Sections 220, 221 and 224 of Title 52 of the Code of Alabama of 1940, which relate to capital outlay warrants issued by

any County Board of Education or City Board of Education, so as to clarify the said sections and so as to revise the provisions thereof as to the maximum interest rate, the maximum net interest cost, and the amount of redemption premiums that are permitted with respect to such warrants.

Also:

S. 716. To apply only in counties having populations of not less than 15,500 nor more than 16,300 according to the most recent federal decennial census, fixing the per diem pay for members of the county board of equalization.

Also:

S. 727. To amend Act No. 113, S. 4, Special Session 1961 (Acts 1961, p. 809) relating to judicial circuits composed of only one county and having populations of not less than 60,500 and not more than 65,000 inhabitants according to the most recent federal decennial census which authorizes the district attorney of said circuit to appoint a stenographic secretary, so as to provide further for the compensation of such secretary.

Also:

S. 779. Relating to counties having populations of not less than 33,000 nor more than 35,000 according to the most recent federal decennial census; to authorize and provide for the establishment, maintenance, equipping, operation, and financing of public law libraries; to provide for the taxing and collection of law library fees as items of court costs in cases docketed in certain courts within such counties; and to repeal conflicting laws.

Also:

S. 815. To provide for an expense allowance for each of the circuit judges of the Fifth Judicial Circuit and for the payment of such expense allowance out of the general funds of the counties composing such judicial circuit; and to repeal Act No. 174, S. 282 of the Regular Session of 1967 and other conflicting laws.

Also:

S. 816. Relating to the Fifth Judicial Circuit; providing for an additional circuit court judge in such circuit.

Also:

S. 767. Proposing an amendment to the Constitution of Alabama relating to Pickens County, and ordering an election thereon.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report it has examined the following House Joint Resolutions, to-wit:

H. J. R. 107. Relative to recreating the committee created by Act No. 219, 1967 Special Session.

Also:

H. J. R. 129. Extending sympathy to Representative Gafford upon the death of his parents.

Also:

H. J. R. 130. Extending sympathy to Representative Adwell upon the death of his father.

Also:

H. J. R. 133. Petitioning the Congress to add a proviso to Amendment Fourteen under Article V of the Constitution of the United States.

Also:

H. J. R. 134. Naming the National Guard Armory in Phenix City the "Fort Jabe Brassell Armory".

Also:

H. J. R. 137. Commending the Greater Hueytown Dixie Boys Baseball Team.

Also:

H. J. R. 140. Commending Mr. Kenneth R. Giddens of Mobile upon his appointment as head of the Voice of America.

Also:

H. J. R. 141. Commending Representative L. Gardner Bassett.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolution, your signature thereto is requested:

S. J. R. 106. Allowing the Secretary of Senate and Clerk of the House additional assistants.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1407. Relating to counties having populations of not less than 49,500 nor more than 50,500; providing further for law enforcement in such counties; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated as the sheriff's fund; and providing for the use of such fund.

Also:

H. 272. To amend Code of Alabama 1940, Title 7 A, Section 2-314, in relation to implied warranties.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 123. Congratulating Mrs. Clara Stone Collins on her election as President-Elect of the National Order of Women Legislators, and providing for her expenses to be paid to the annual conventions of said organization.

Also:

H. J. R. 127. Commending the law enforcement personnel and the various relief agencies for their invaluable services to the residents of the Alabama gulf coast area during Hurricane Camille.

Also:

H. J. R. 136. Naming H. B. No. 91.

Also:

H. J. R. 138. Naming a certain portion of Highway 150 in Jefferson County the "Sesquicentennial Highway".

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 154. Mourning the untimely death of Mr. Edward W. Lisenby of Ozark, Alabama, and naming the Dale County Public Lake "The Edward W. Lisenby Public Lake".

Also:

H. J. R. 158. Setting aside a page in the Journal of the House to the memory of Governor Lurleen Burns Wallace.

Also:

H. J. R. 159. Setting aside a page in the Journal of the House to the memory of Governor Chauncey Sparks.

Also:

H. J. R. 160. Setting aside a page in the Journal of the House to the memory of Governor Gordon Persons.

Also:

H. J. R. 156. Congratulating the ladies of American Legion Auxiliary Post 208 of Northport, Alabama for their dedicated contributions to their community, state and nation.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Messrs. Sessions, Cherner, Yeilding, Money, Jackson (T), Gloor, Adwell, House, Meeks, Weeks, Waggoner and Pennington:

H. J. R. 161. WHEREAS the Honorable Frank Murray Dixon, former Governor of Alabama who died October 11, 1965, was one of Alabama's outstanding patriots, a hero of World War I, and one of the most progressive and efficient governors this state has ever had; and

WHEREAS Governor Dixon's administration fostered the merit system for state employees, the teacher retirement plan, and created the Pardon and Parole Board; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That a page in the Journal of the House be dedicated to the memory of Governor Frank M. Dixon.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the family of Governor Dixon.

On motion of Mr. Sessions, the rules were suspended and H. J. R. 161 was adopted.

D E D I C A T E D

T O T H E

M E M O R Y O F

HONORABLE FRANK M. DIXON

1892 - 1965

Governor of the State of Alabama

1939 - 1943

REPORT OF COMMITTEE ON CONFERENCE

We, your Committee on Conference, appointed on the disagreement of the two houses on the Senate substitute to House Bill No. 822, beg leave to report as follows:

(1) We recommend that the House and the Senate adopt the attached Conference Committee substitute for the bill.

NEWMAN M. YEILDING
Chairman
RAYMOND WEEKS
RICHARD F. DILL
Conferees on the part of the House

GEORGE LEWIS BAILES, JR.
LELAND CHILDS
RICHARD DOMINICK
Conferees on the part of the Senate

A BILL
TO BE ENTITLED
AN ACT

To amend the title and Section 1 of Act No. 821 of the 1965 Regular Session of the Legislature of Alabama, regulating the fluoridation of water supplies in counties having a population of 400,000 according to the last or any succeeding federal census.

Be It Enacted by the Legislature of Alabama:

Section 1. The title of Act No. 821 of the 1965 Regular Session of the Legislature of Alabama is amended so as to read as follows:

"An act to authorize and regulate the fluoridation of water supplies in counties having a population of 600,000 according to the last or any succeeding federal census. To prescribe conditions for calling of a referendum."

Section 2. Section 1 of Act No. 821 of the 1965 Regular Session of the Legislature of Alabama is amended so as to read as follows:

"Section 1. Any water works board, municipality, person, firm or corporation in counties having a population of six hundred thousand inhabitants or more according to the last or any subsequent federal census, which furnishes or supplies water for human consumption or domestic use, whether to municipalities or other groups of persons, or otherwise, shall add fluoride to the water so furnished, provided that:

(a) The governing board of the municipality owning or controlling the water system or under which the water board has been appointed, or in which such person, firm or corporation supplying water supplies more water for human consumption or domestic use than in any other municipality, has by ordinance duly authorized the fluoridation of such water supply. Such ordinance or the repeal thereof may be initiated by petition signed by the qualified voters under any provisions which may apply to such municipality.

(b) The state board of health and the local boards of health serving such counties shall have approved the addition of fluoride and have:

(1) Established reasonable maximum and minimum limits of fluoride stated in parts per million to be maintained in the water supply;

(2) Approved the type of chemical feeding equipment to be installed and used;

(3) Approved the installation of equipment, the plant lay-out and methods of handling the fluoride compound to assure the safety of employees; and

(4) Approved the method of analysis and control to be used in determining the fluoride content of water before and after the addition of fluoride.

It shall not be necessary that the provisions of this subsection (b) be complied with prior to the holding of an election as hereinafter provided, but this subsection must be complied with prior to the fluoridation of any such water supply. In the event the result of an election as hereinafter provided is in favor of the fluoridation of any water supply, the municipality, water board or other person, firm or corporation furnishing such water shall install such equipment and provide such method and manner of fluoridation as is approved by the health authorities under the provisions of this Act. In case of the inability of the state board and the local board to concur on any matter for which their determination or approval is required under the provisions of this subsection (b), then the determination or approval of the local board evidenced by a resolution adopted by the affirmative vote of not less than seventy-five per cent (75%) of the membership of such board shall prevail; otherwise, no fluoridation shall be affected until the two boards can resolve their differences in such respect.

(c) A certified copy of the ordinance provided for in subsection (a) above shall have been presented to the probate judge of such county at the direction of the governing body of the municipality and said probate judge shall have called a referendum to be held throughout said county on the question: "Shall _____ fluoridate its drinking water?" (Insert in the blank space the name of the municipality, water board, person, firm or corporation furnishing water, the fluoridation of which has been authorized by the ordinance provided for in subsection (a) above), and said vote shall have been in favor of fluoridation. Said election shall be called by the probate judge and such question shall appear on the ballot at the next general election, but in no event sooner than ninety (90) days after the presentation of said ordinance to the probate judge as herein provided. Not less than thirty (30) days notice of such election shall be given by the probate judge by publication once a week for four consecutive weeks in a newspaper of general circulation of said county, and the cost of said notice and other incidental expenses relating to such referendum shall be born by the county in which such county-wide election is held. Said election shall be conducted, the vote canvassed, and the result declared in the same manner as provided by law in respect to other county elections in the county evcept as otherwise provided by this Act. If a majority of the persons voting on said question vote in favor of adding fluoride, the same shall be added by the municipality, board, person, firm or corporation furnishing such order under the provisions of this Act after the expiration of two years. Upon presentation of said ordinance to the probate judge, it shall be his duty to call said election and to perform other such acts as he is required to perform before fluoride may be added under the provisions of this Act to said water supply. If a majority of persons voting on said question vote against adding fluoride, no subsequent election shall be held under the provisions of this Act within two (2) years of the date of the last election.

Any municipality in said county having a water board or like board or agency for the sale and distribution of water may, by a majority vote of its governing body, call a special municipal election upon the question of whether fluoride shall be added to the water of said muni-

cipality. Said election shall be held under the laws governing municipal elections in said municipality.

In the event that a majority of the voters voting in said municipal election cast their votes against adding fluoride to the water of such municipality, the said governing body shall provide and install equipment or devices to defluoride the water of such municipality."

Section 3. This Act shall become effective immediately upon its passage and upon approval by the governor, or upon its otherwise becoming a law.

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Yeilding, the report of the Committee of Conference set forth in the above and foregoing Report of the Committee of Conference was concurred in and adopted by the House on the bill, H. 822.

Yeas 38; Nays 15.

Yeas:

Mr. Speaker	Gloor	McDonald	Sessions
Agee	Graham	McLain	Snell
Beck	Grainger	Meeks	Springer
Brassell	Harper	Merrill	Starnes
Cameron	Harris	Money	Stembridge
Cherner	Headley	Nettles	Weeks
Collins (C)	Lybrand	Paulk	Wood
Dill	Malone	Pearson	Yeilding
Edington	Marr	Pennington	Young
Fine	Mays		—38

Nays:

Messrs.:	Ellis	Jackson (T)	Stubbs
Burgess	Gafford	Kilgore	Waggoner
Cook (Jefferson)	Grayson	Laxson	Watkins
Dobbs	House	Shumate	Wright
			—15

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 584. To amend Section 4 of Act No. 673, H. 2, approved October 9, 1947 (General Acts of Alabama, 1947, p. 514), known and cited as the "Regional Vocational and Trade Schools Act," by providing for and regulating certain paid leaves of absence for members of the faculty of such schools, caused by sickness.

Also:

H. 1063. To authorize the Commissioner of Agriculture and Industries to approve and certify soil testing laboratories that make recommendations for fertilizer or plant food needs for agricultural purposes; to authorize the State Board of Agriculture and Industries to adopt rules and regulations prescribing requirements and standards for the certification of soil testing laboratories and to provide an exemption therefrom; to prohibit false or fraudulent representations concerning certification as authorized hereunder and to provide a penalty for violations.

Also:

H. 1427. To amend further Code of Alabama 1940, Title 39, Section 184, as amended in order to allow state banks to close for additional holidays, and to authorize the closing of such banks on the Saturday following a holiday which falls on a Friday.

Also:

H. 562. To designate marble as the official rock of the State of Alabama.

McDOWELL LEE,
Secretary.

REPORT OF COMMITTEE OF CONFERENCE RELATIVE TO H. B. 942

The Committee of Conference appointed to reconcile the disagreement between the two house on the Senate amendment to the bill, H. B. 942 by way of substitute, has met, considered the matter, and reports as follows:

We recommend that the House recede from its position and that the House concur in the Senate substitute for the bill.

JOHN W. COOK
J. T. WAGGONER, JR.
Conferees on the part of the House

HUGH MORROW, III
GEO. LEWIS BAILES, JR.
LELAND CHILDS
Conferees on the part of the Senate

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Cook (Jefferson), the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the bill, H. 942, said report being set out in the above and foregoing Report of the Committee of Conference.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Brown	Downing	Hain
Agee	Burgreen	Drake	Hardin
Bank	Cameron	Edington	Harper
Bassett	Collier	Fine	Harris
Beck	Collins (C)	Foshee	Haygood
Berryman (W)	Crawford	Graham	Headley
Blanton	Dill	Grainger	Higginbotham
Brassell	Doss	Grayson	Hill

Hobbie	McCorquodale	Paulk	Steagall
Holladay	McElhaney	Pearson	Stembridge
House	Meade	Pennington	Stubbs
Kilgore	Meeks	Perloff	Waggoner
Laxson	Melton	Sessions	Watkins
Lemley	Merrill	Shumate	Weeks
Lybrand	Money	Slate	Williams
Lyons	Nettles	Snell	Wood
Malone	Owen (Baldwin)	Springer	Wright
Marr	Owens (W.E.)	Starnes	Young
Mays			

—73

REPORT OF COMMITTEE OF CONFERENCE RELATIVE TO H. B. 675

The Committee of Conference appointed to reconcile the disagreement between the two houses on the Senate substitute for the bill, H. B. 675, has met, considered the matter, and reports as follows:

We recommend that the following amendment be adopted and that the House otherwise accede to the Senate substitute:

Strike out Section 5 in its entirety and insert in lieu thereof the following:

Section 5. The affairs of the Bureau shall be managed by a Board of Directors, herein called "the Board", which shall consist of the following: a member of the House of Representatives representing the County, chosen by members of the House representing the County; a member of the Senate representing the County, chosen by Senators representing the County; the Chairman of the Board of Directors of the Civic Center Authority, established by Act No. 547 of the Regular Session of 1965; the President of the Chamber of Commerce; the President of the City Motel-Hotel Association; and that person representing the classification of the motel-hotel business on the Chamber of Commerce Board of Directors.

The Representative and Senator shall be elected for a term which shall expire when the legislative term expires.

The provisions set forth below shall govern the filling of any vacancy occurring in any one or more of the five directorships, as the term "vacancy" is defined herein in this Section 5. A directorship shall be deemed to be vacant in the event that person designated as a director, as above provided, for any reason fails to serve as a director for as long as 60 consecutive days. In the event a vacancy in any directorship occurs, such vacancy shall be filled by the Legislative delegation consisting of the members of the House of Representatives and of the Senate representing such county, or the district in which the county lies, in the Legislature of Alabama.

The members of the Board shall serve without compensation, but they may be reimbursed for actual expenses incurred in the performance of their duties for the Bureau.

JOHN W. COOK
J. T. WAGGONER, JR.
Conferees on the part of the House

HUGH MORROW, III
GEO. LEWIS BAILES
LELAND CHILDS
Conferees on the part of the Senate

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Cook (Jefferson), the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the bill, H. 675, said report being set out in the above and foregoing Report of the Committee of Conference.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Edington	Lybrand	Pearson
Agee	Ellis	Lyons	Pennington
Bassett	Fine	Malone	Perloff
Beck	Foshee	Marr	Sessions
Berryman (W)	Graham	Mathews	Shumate
Blanton	Grainger	Mays	Slate
Brassell	Grayson	McCorquodale	Snell
Brown	Hain	McDonald	Springer
Burgreen	Hardin	McElhaney	Starnes
Cameron	Harper	McLain	Steagall
Collier	Harris	Meade	Stembridge
Collins (C)	Haygood	Meeks	Stubbs
Collins (W)	Headley	Melton	Waggoner
Cook (Jefferson)	Higginbotham	Merrill	Watkins
Crawford	Hill	Money	Weeks
Culver	Hobbie	Nettles	Williams
Dill	House	Neville	Wood
Dobbs	Jackson (F)	Owen (Baldwin)	Wright
Doss	Kilgore	Owens (W.E.)	Yeilding
Downing	Laxson	Paulk	Young
Drake	Lemley		—82

And the bill, H. 675, as thus amended:

To provide in every County having a population of 500,000 or more according to the last or any subsequent Federal census for the creation of a public corporation which shall be vested with the powers provided for in the act, for the purpose of attracting conventions and visitors to the county; to define the powers of such corporation; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the act.

Was again read a third time at length and passed.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Dill	Haygood	McCorquodale
Agee	Dobbs	Headley	McDonald
Bassett	Doss	Higginbotham	McElhaney
Beck	Downing	Hill	McLain
Berryman (W)	Drake	Hobbie	Meade
Blanton	Edington	House	Meeks
Brassell	Ellis	Jackson (F)	Melton
Brown	Fine	Kilgore	Merrill
Burgreen	Foshee	Laxson	Money
Cameron	Graham	Lemley	Nettles
Collier	Grainger	Lybrand	Neville
Collins (C)	Grayson	Lyons	Owen (Baldwin)
Collins (W)	Hain	Malone	Owens (W.E.)
Cook (Jefferson)	Hardin	Marr	Paulk
Crawford	Harper	Mathews	Pearson
Culver	Harris	Mays	Pennington

Perloff	Springer	Waggoner	Wood
Sessions	Starnes	Watkins	Wright
Shumate	Steagall	Weeks	Yeilding
Slate	Stembridge	Williams	Young
Snell	Stubbs		

—82

RESOLUTION

The following resolution was introduced:

By Messrs. McDonald, Starnes and Drake:

H. J. R. 162. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That that portion of U. S. Highway 231 from the Tennessee river to the city limits of Arab, Alabama be designated the "Brindlee Mountain Parkway", at the time that such highway becomes a four lane thoroughfare.

BE IT FURTHER RESOLVED, That the Highway Department be instructed to erect suitable markers or signs to indicate the name of the Brindlee Mountain Parkway at the time the construction is completed.

On motion of Mr. McDonald, the rules were suspended and H. J. R. 162 was adopted.

REPORT OF COMMITTEE OF CONFERENCE
RELATIVE TO H. B. 1173

The Committee of Conference appointed to reconcile the disagreement between the two houses on the Senate amendment and the House amendment to the bill, H. B. 1173, has met, considered the matter, and reports as follows:

1. We recommend that the Senate recede from its amendment to the bill.

2. We recommend that the House recede from its amendment to the bill.

3. We recommend that the following substitute for the bill be adopted by both houses, and that the bill as amended by the substitute be passed.

A BILL
TO BE ENTITLED
AN ACT

Relating to counties having populations of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census; to regulate the payment of wages of all policemen employed by any city in such counties and of all deputy sheriffs in such counties; to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. This Act shall apply in and only in counties having populations of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census.

Section 2. In all counties coming within the purview of this Act, all policemen employed by any city in the county and all deputy sheriffs in such counties shall be entitled to one and one-half (1½) times their hourly wage for each hour worked in excess of forty (40) hours a week in any one week.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. The provisions of this Act are severable. If any part of it is declared unconstitutional or invalid such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

MYLAN R. ENGEL
PIERRE PELHAM
Conferees on the part of the Senate

THOMAS M. MARR
MAURICE A. DOWNING
MAYER W. PERLOFF
Conferees on the part of the House

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Marr, the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the bill, H. 1173, said report being set out in the above and foregoing Report of the Committee of Conference.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Edington	Lemley	Paulk
Agee	Ellis	Lyons	Pearson
Bank	Fine	Malone	Pennington
Bassett	Foshee	Manley	Perloff
Beck	Garrett	Marr	Pruitt
Berryman (W)	Graham	Mathews	Robertson
Blanton	Grainger	Mays	Sessions
Brassell	Grayson	McCorquodale	Shumate
Brown	Hain	McElhaney	Slate
Burgess	Hardin	McLain	Snell
Burgreen	Harper	Meade	Springer
Cameron	Harris	Meeks	Starnes
Collier	Haygood	Melton	Steagall
Collins (W)	Headley	Merrill	Stembridge
Cook (Jefferson)	Higginbotham	Money	Stubbs
Crawford	Hill	Nettles	Waggoner
Culver	Hobbie	Neville	Watkins
Dill	Jackson (F)	Owen (Baldwin)	Williams
Dobbs	Kilgore	Owens (W)	Wood
Doss	Laxson	Owens (W.E.)	Young
Downing			—81

And said bill:

Relating to counties having populations of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census; to regulate the payment of wages of all policemen employed by any city in such counties and of all deputy sheriffs in such counties; to repeal conflicting laws.

As amended by the Report of the Committee of Conference, was again read at length and passed.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Edington	Lemley	Paulk
Agee	Ellis	Lyons	Pearson
Bank	Fine	Malone	Pennington
Bassett	Foshee	Manley	Perloff
Beck	Garrett	Marr	Pruitt
Berryman (W)	Graham	Mathews	Robertson
Blanton	Grainger	Mays	Sessions
Brassell	Grayson	McCorquodale	Shumate
Brown	Hain	McElhaney	Slate
Burgess	Hardin	McLain	Snell
Burgreen	Harper	Meade	Springer
Cameron	Harris	Meeks	Starnes
Collier	Haygood	Melton	Steagall
Collins (W)	Headley	Merrill	Stembridge
Cook (Jefferson)	Higginbotham	Money	Stubbs
Crawford	Hill	Nettles	Waggoner
Culver	Hobbie	Neville	Watkins
Dill	Jackson (F)	Owen (Baldwin)	Williams
Dobbs	Kilgore	Owens (W)	Wood
Doss	Laxson	Owens (W.E.)	Young
Downing			—81

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1444. To amend Section 1 of Act No. 34 (H. 45) of the First Extraordinary Session of 1969 of the Legislature of Alabama, approved May 14, 1969, entitled "An Act authorizing the county governing body of each of the several counties to levy, assess and collect franchise, excise and privilege license taxes in order to raise funds to be used for the public schools in the county," so as to prescribe certain limitations on the levying of such taxes.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Messrs. Owens (W), Headley, Adwell, Agee, Bank, Bassett, Beck, Berryman (W), Blanton, Brannan, Brassell, Brown, Burgess, Burgreen, Cameron, Cherner, Collier, Collins (C), Collins (W), Cook (Jefferson), Crawford, Culver, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Fite, Foshee, Garrett, Gloor, Graham, Grainger, Grayson, Hain, Hardin, Harper, Harris, Haygood, Higginbotham, Hill, Hobbie, House, Jackson (F), Jackson (T), Kilgore, Laxson, Lemley, Lyons, Malone, Manley, Marr, Mathews, Mays, McCorquordale, McDonald, McElhaney, McLain, Meade, Meeks, Melton, Merrill, Money, Nettles, Neville, Owen (Baldwin), Owens (W.E.), Paulk, Pearson, Pennington, Perloff, Pruitt, Robertson, Sessions, Shumate, Slate, Smith, Snell, Springer, Starnes, Steagall, Stembridge, Stubbs, Waggoner, Watkins, Williams, Wood, Wright, Yeilding, Young:

H. J. R. 163. WHEREAS Corporal Walter Joseph Smith, and Trooper Samuel Neil Rucker have performed outstanding and meritorious services to the members of the Senate and the House of Repre-

sentatives during the special and regular sessions of the legislature in 1969; and

WHEREAS Corporal Smith, a ten year veteran of the Department of Public Safety, and Trooper Rucker, who has served five years, have shown themselves to be helpful, efficient and most cooperative in their duties to the members of both houses; and

WHEREAS these officers have exemplified the highest character and professional conduct in all their relations with the members and with the general public; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body commends Walter Joseph Smith and Samuel Neil Rucker for their outstanding services to the legislature.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to Corporal Smith and Trooper Rucker, to the Director of Public Safety, and to the Governor of Alabama.

On motion of Mr. Owens (W), the rules were suspended and H. J. R. 163 was adopted.

MOTION TO BRING UP S. 743

On motion of Mr. Owen (Baldwin), the rules were suspended and permission granted to bring up out of order the bill, S. 743.

Yeas 62; Nays 10.

Yeas:

Mr. Speaker	Drake	Kilgore	Pearson	
Agee	Edington	Laxson	Pennington	
Bank	Fine	Lemley	Perloff	
Bassett	Foshee	Marr	Robertson	
Beck	Gafford	McCorquodale	Sessions	
Berryman (W)	Grayson	McDonald	Slate	
Brassell	Hain	McElhaney	Smith	
Burgess	Hardin	McLain	Springer	
Cameron	Harper	Meeks	Starnes	
Collier	Harris	Melton	Steagall	
Collins (W)	Haygood	Merrill	Stubbs	
Crawford	Headley	Money	Williams	
Culver	Higginbotham	Nettles	Wood	
Dill	Hill	Owens (W)	Wright	
Dobbs	Jackson (F)	Owens (W.E.)	Yeilding	
Downing	Jackson (T)			—62

Nays:

Messrs.:	Ellis	Graham	Pruitt	
Cherner	Garrett	Mays	Snell	
Collins(C)	Gloor	Neville		—10

And the bill:

S. 743. To amend Sections 1 and 5 of Act No. 21, H. 28 as amended, enacted at the 1969 Special Session of the Legislature of Alabama, relating to raising revenue and levying a tax against certain persons and utilities and prescribing rates and exclusions therefrom, and providing for collecting such tax and enforcing payment thereof, and providing for the disposition of the proceeds from such tax.

Was read a third time at length and passed.

Yeas 71; Nays 14.

Yeas:

Mr. Speaker	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lybrand	Perloff
Bassett	Fine	Malone	Pruitt
Beck	Foshee	Manley	Sessions
Berryman (W)	Gafford	Mathews	Shumate
Bolton	Graham	McCorquodale	Slate
Brannan	Grayson	McDonald	Smith
Brassell	Hain	McElhaney	Springer
Burgess	Hardin	McLain	Starnes
Burgreen	Harper	Meade	Steagall
Cameron	Headley	Melton	Stembridge
Collier	Higginbotham	Merrill	Stubbs
Cook (Jefferson)	Hill	Money	Watkins
Crawford	Hobbie	Nettles	Williams
Dill	House	Owens (W)	Wright
Dobbs	Jackson (F)	Owens (W.E.)	Yeilding
Doss	Kilgore	Paulk	—71

Nays:

Messrs.:	Garrett	Marr	Snell
Brown	Harris	Mays	Turnham
Collins (C)	Haygood	Neville	Wood
Ellis	Jackson (T)	Robertson	—14

MOTION TO BRING UP S. 408

On motion of Mr. Drake, the rules were suspended and permission granted to bring up out of order the bill, S. 408.

Yeas 69; Nays 5.

Yeas:

Mr. Speaker	Drake	Laxson	Owens (W.E.)
Bank	Ellis	Lemley	Paulk
Bassett	Fine	Lybrand	Pearson
Beck	Foshee	Manley	Pennington
Berryman (W)	Garrett	Marr	Perloff
Brannan	Graham	Mathews	Pruitt
Brassell	Grainger	Mays	Robertson
Brown	Grayson	McDonald	Shumate
Burgreen	Hain	McElhaney	Slate
Cameron	Hardin	McLain	Smith
Cherner	Harper	Meade	Starnes
Collier	Harris	Meeks	Steagall
Collins (W)	Headley	Melton	Stubbs
Cook (Jefferson)	Higginbotham	Merrill	Turnham
Dill	Hill	Money	Waggoner
Dobbs	Hobbie	Owen (Baldwin)	Williams
Doss	House	Owens (W)	Wood
Downing			—69

Nays:

Messrs.:	Crawford	Wright	Yeilding
Blanton	Nettles		—5

And the bill:

S. 408 (with amendment). To make an appropriation from the General Fund of the State Treasury to the use of the Agricultural Center Board for expenditure by said Board in the promotion of agriculture and agricultural fairs throughout the State by providing State aid for the payment of prizes, premiums and awards for agricultural and related exhibits at bona fide agricultural fairs; to provide the manner, methods and procedure under which funds appropriated for this purpose shall be disbursed; and to authorize the Agricultural Center Board to appoint a special awards committee for fairs and to adopt rules and regulations to effectuate the intent and purpose of this Act.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

Amend the title of Senate Bill 408 to read as follows:

"To make a conditional appropriation from the General Fund of the State Treasury to the use of the Agricultural Center Board for expenditure by said Board in the promotion of agriculture and agricultural fairs throughout the State by providing State aid for the payment of prizes, premiums and awards for agricultural and related exhibits at bona fide agricultural fairs; to provide the manner, methods and procedure under which funds appropriated for this purpose shall be disbursed; and to authorize the Agricultural Center Board to appoint a special awards committee for fairs and to adopt rules and regulations to effectuate the intent and purpose of this Act."

Further amend Senate Bill 408 by adding the following sentence at the end of Section 1 of said bill:

"The appropriation made herein is conditional upon the condition of the State General Fund, as ascertained by the Governor, and shall be released only upon orders of the Governor."

MOTION TO TABLE COMMITTEE AMENDMENT

On motion of Mr. Drake, the amendment reported by the Standing Committee on Ways and Means to the bill, S. 408, was tabled.

And the bill, S. 408, was read a third time at length and passed.

Yeas 78; Nays 5.

Yeas:

Mr. Speaker	Cook (Jefferson)	Hardin	McCorquodale
Bank	Crawford	Harper	McDonald
Bassett	Culver	Harris	McElhaney
Beck	Dobbs	Headley	McLain
Berryman (W)	Doss	Higginbotham	Meade
Blanton	Downing	Hill	Meeks
Bowers	Drake	Hobbie	Melton
Brannan	Ellis	Jackson (F)	Merrill
Brassell	Fine	Kilgore	Money
Brown	Foshee	Laxson	Neville
Burgreen	Garrett	Lemley	Owens (W)
Cameron	Graham	Manley	Owens (W.E.)
Cherner	Grainger	Marr	Paulk
Collier	Grayson	Mathews	Pearson
Collins (W)	Hain	Mays	Pennington

Perloff	Slate	Steagall	Waggoner	
Pruitt	Smith	Stembridge	Williams	
Robertson	Snell	Stubbs	Wood	
Sessions	Springer	Turnham	Young	
Shumate	Starnes			—78

Nays:

Messrs.:	Haygood	Wright	Yeilding	
Dill	Nettles			—5

MOTION TO BRING UP S. 566 LOST

The motion of Mr. Edington to suspend the rules and bring up out of order the bill, S. 566, was lost.

Yeas 61; Nays 17.

Yeas:

Messrs.:	Downing	Manley	Pennington	
Agee	Foshee	Marr	Perloff	
Bassett	Graham	Mays	Pruitt	
Beck	Grainger	McDonald	Robertson	
Berryman (W)	Grayson	McElhaney	Sessions	
Brannan	Hain	McLain	Shumate	
Brassell	Hardin	Meade	Slate	
Burgess	Harper	Melton	Smith	
Burgreen	Harris	Merrill	Snell	
Cameron	Haygood	Money	Starnes	
Cherner	Headley	Nettles	Steagall	
Collier	Higginbotham	Neville	Stubbs	
Collins (C)	Hill	Owens (W)	Williams	
Collins (W)	Laxson	Owens (W.E.)	Wood	
Culver	Lemley	Pearson	Yeilding	
Dobbs	Lybrand			—61

Nays:

Mr. Speaker	Ellis	Hobbie	McCorquodale	
Blanton	Gafford	House	Springer	
Bowers	Garrett	Jackson (T)	Weeks	
Crawford	Gloor	Kilgore	Wright	
Dill				—17

BILLS ON THIRD READING

And the bill:

S. 596. To provide for the compensation of the register of the circuit court of any county having a population of not less than 47,000 nor more than 49,000, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws.

Was read a third time at length and passed.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Beck	Brassell	Cherner
Adwell	Berryman (W)	Brown	Collins (C)
Agee	Blanton	Burgess	Collins (W)
Bank	Bowers	Burgreen	Cook (Jefferson)
Bassett	Brannan	Cameron	Crawford

Culver	Harris	McDonald	Sessions
Dill	Haygood	McElhaney	Shumate
Dobbs	Headley	McLain	Slate
Doss	Higginbotham	Meade	Smith
Downing	Hill	Meeks	Snell
Drake	Hobbie	Melton	Springer
Edington	House	Merrill	Starnes
Ellis	Jackson (F)	Money	Steagall
Fine	Jackson (T)	Nettles	Stembridge
Foshee	Kilgore	Neville	Stubbs
Gafford	Laxson	Owen (Baldwin)	Tuck
Garrett	Lemley	Owens (W)	Turnham
Gloor	Lybrand	Owens (W.E.)	Waggoner
Graham	Malone	Paulk	Weeks
Grainger	Manley	Pearson	Williams
Grayson	Marr	Pennington	Wood
Hain	Mathews	Perloff	Wright
Hardin	Mays	Pruitt	Yeilding
Harper	McCorquodale	Robertson	Young

—96

And the bill:

S. 799. Relating to counties having populations not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; to increase the compensation of the judge of the County Court in such counties; to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Pearson
Adwell	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Malone	Robertson
Beck	Foshee	Manley	Sessions
Berryman (W)	Gafford	Marr	Shumate
Blanton	Garrett	Mathews	Slate
Bowers	Gloor	Mays	Smith
Brannan	Graham	McCorquodale	Snell
Brassell	Grainger	McDonald	Springer
Brown	Grayson	McElhaney	Starnes
Burgess	Hain	McLain	Steagall
Burgreen	Hardin	Meade	Stembridge
Cameron	Harper	Meeks	Stubbs
Cherner	Harris	Melton	Tuck
Collins (C)	Haygood	Merrill	Turnham
Collins (W)	Headley	Money	Waggoner
Cook (Jefferson)	Higginbotham	Nettles	Weeks
Crawford	Hill	Neville	Williams
Culver	Hobbie	Owen (Baldwin)	Wood
Dill	House	Owens (W)	Wright
Dobbs	Jackson (F)	Owens (W.E.)	Yeilding
Doss	Jackson (T)	Paulk	Young

—96

And the bill:

S. 802. To provide for an election to be held to allow the electorate of Marshall County to vote on whether or not said county shall transfer certain county functions in relation to the construction, repair and maintenance of public roads and bridges to the state highway depart-

ment; and providing for the reorganization of the Marshall County Commission on Government and Finance as it now exists; abolishing same and establishing in lieu thereof the Marshall County Commission; and providing that this act shall become operative only if approved at the referendum held as herein provided.

Was read a third time at length and passed.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Pearson
Adwell	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Malone	Robertson
Beck	Foshee	Manley	Sessions
Berryman (W)	Gafford	Marr	Shumate
Blanton	Garrett	Mathews	Slate
Bowers	Gloor	Mays	Smith
Brannan	Graham	McCorquodale	Snell
Brassell	Grainger	McDonald	Springer
Brown	Grayson	McElhaney	Starnes
Burgess	Hain	McLain	Steagall
Burgreen	Hardin	Meade	Stembridge
Cameron	Harper	Meeks	Stubbs
Cherner	Harris	Melton	Tuck
Collins (C)	Haygood	Merrill	Turnham
Collins (W)	Headley	Money	Waggoner
Cook (Jefferson)	Higginbotham	Nettles	Weeks
Crawford	Hill	Neville	Williams
Culver	Hobbie	Owen (Baldwin)	Wood
Dill	House	Owens (W)	Wright
Dobbs	Jackson (F)	Owens (W.E.)	Yeilding
Doss	Jackson (T)	Paulk	Young

—96

And the bill:

H. 582. To alter, rearrange and extend the corporate limits of the Town of Kennedy, Lamar County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Collins (C)	Gloor	Kilgore
Adwell	Collins (W)	Graham	Laxson
Agee	Cook (Jefferson)	Grainger	Lemley
Bank	Crawford	Grayson	Lybrand
Bassett	Culver	Hain	Malone
Beck	Dill	Hardin	Manley
Berryman (W)	Dobbs	Harper	Marr
Blanton	Doss	Harris	Mathews
Bowers	Downing	Haygood	Mays
Brannan	Drake	Headley	McCorquodale
Brassell	Edington	Higginbotham	McDonald
Brown	Ellis	Hill	McElhaney
Burgess	Fine	Hobbie	McLain
Burgreen	Foshee	House	Meade
Cameron	Gafford	Jackson (F)	Meeks
Cherner	Garrett	Jackson (T)	Melton

Merrill	Pearson	Smith	Turnham
Money	Pennington	Snell	Waggoner
Nettles	Perloff	Springer	Weeks
Neville	Pruitt	Starnes	Williams
Owen (Baldwin)	Robertson	Steagall	Wood
Owens (W)	Sessions	Stembridge	Wright
Owens (W.E.)	Shumate	Stubbs	Yeilding
Paulk	Slate	Tuck	Young

—96

And the bill:

H. 1554. To further amend Section 11 of Act No. 471 of the Alabama Legislature, approved November 13, 1959 (Acts of Alabama 1959 Regular Session, pages 1170, et seq.), entitled "An Act to levy additional county privilege license and excise taxes for public school purposes in Chilton County, such taxes to parallel the state sales and use taxes provided for in Act No. 100, H. 94, approved August 18, 1959, effective October 1, 1959, and Article 11, Chapter 20, Title 51, Code of Alabama of 1940, as amended and supplemented; providing for the collection of such taxes by the state department of revenue, and for the custody, distribution and use of the proceeds thereof; providing for the administration and enforcement of the Act, and prescribing penalties," as heretofore amended by Act No. 55 of the 1963 Second Special Session of the Alabama Legislature, approved April 23, 1963 (Acts of Alabama, 1963, pages 219, et seq.).

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Pearson
Adwell	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Malone	Robertson
Beck	Foshee	Manley	Sessions
Berryman (W)	Gafford	Marr	Shumate
Blanton	Garrett	Mathews	Slate
Bowers	Gloor	Mays	Smith
Brannan	Graham	McCorquodale	Snell
Brassell	Grainger	McDonald	Springer
Brown	Grayson	McElhaney	Starnes
Burgess	Hain	McLain	Steagall
Burgreen	Hardin	Meade	Stembridge
Cameron	Harper	Meeks	Stubbs
Cherner	Harris	Melton	Tuck
Collins (C)	Haygood	Merrill	Turnham
Collins (W)	Headley	Money	Waggoner
Cook (Jefferson)	Higginbotham	Nettles	Weeks
Crawford	Hill	Neville	Williams
Culver	Hobbie	Owen (Baldwin)	Wood
Dill	House	Owens (W)	Wright
Dobbs	Jackson (F)	Owens (W.E.)	Yeilding
Doss	Jackson (T)	Paulk	Young

—96

And the bill:

H. 1557. Relating to counties having populations of not less than 25,700 nor more than 25,900; to provide for the compensation of the chief deputy sheriff and certain other deputy sheriffs in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Pearson
Adwell	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Malone	Robertson
Beck	Foshee	Manley	Sessions
Berryman (W)	Gafford	Marr	Shumate
Blanton	Garrett	Mathews	Slate
Bowers	Gloor	Mays	Smith
Brannan	Graham	McCorquodale	Snell
Brassell	Grainger	McDonald	Springer
Brown	Grayson	McElhaney	Starnes
Burgess	Hain	McLain	Steagall
Burgreen	Hardin	Meade	Stembridge
Cameron	Harper	Meeks	Stubbs
Cherner	Harris	Melton	Tuck
Collins (C)	Haygood	Merrill	Turnham
Collins (W)	Headley	Money	Waggoner
Cook (Jefferson)	Higginbotham	Nettles	Weeks
Crawford	Hill	Neville	Williams
Culver	Hobbie	Owen (Baldwin)	Wood
Dill	House	Owens (W)	Wright
Dobbs	Jackson (F)	Owens (W.E.)	Yeilding
Doss	Jackson (T)	Paulk	Young

—96

And the bill:

S. 831. To validate amounts expended by the board of revenue, court of county commissioners, or other like governing body, of any county with not less than 42,000 nor more than 46,000 population, according to the last or any subsequent federal decennial census, for gifts to hospital patients of the county, holiday advertisements by the county, premiums paid on bonds of the coroner, and appropriations made to private schools during the period October 1, 1964 through September 30, 1966.

Was read a third time at length and passed.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Cherner	Gafford	House
Adwell	Collins (C)	Garrett	Jackson (F)
Agee	Collins (W)	Gloor	Jackson (T)
Bank	Cook (Jefferson)	Graham	Kilgore
Bassett	Crawford	Grainger	Laxson
Beck	Culver	Grayson	Lemley
Berryman (W)	Dill	Hain	Lybrand
Blanton	Dobbs	Hardin	Malone
Bowers	Doss	Harper	Manley
Brannan	Downing	Harris	Marr
Brassell	Drake	Haygood	Mathews
Brown	Edington	Headley	Mays
Burgess	Ellis	Higginbotham	McCorquodale
Burgreen	Fine	Hill	McDonald
Cameron	Foshee	Hobbie	McElhaney

McLain	Owens (W)	Shumate	Tuck
Meade	Owens (W.E.)	Slate	Turnham
Meeks	Paulk	Smith	Waggoner
Melton	Pearson	Snell	Weeks
Merrill	Pennington	Springer	Williams
Money	Perloff	Starnes	Wood
Nettles	Pruitt	Steagall	Wright
Neville	Robertson	Stembridge	Yeilding
Owen (Baldwin)	Sessions	Stubbs	Young

—96

And the bill:

S. 875. To apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional allowances for clerk hire fund for the office of Probate of such counties.

Was read a third time at length and passed.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Pearson
Adwell	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Malone	Robertson
Beck	Foshee	Manley	Sessions
Berryman (W)	Gafford	Marr	Shumate
Blanton	Garrett	Mathews	Slate
Bowers	Gloor	Mays	Smith
Brannan	Graham	McCorquodale	Snell
Brassell	Grainger	McDonald	Springer
Brown	Grayson	McElhaney	Starnes
Burgess	Hain	McLain	Steagall
Burgreen	Hardin	Meade	Stembridge
Cameron	Harper	Meeks	Stubbs
Cherner	Harris	Melton	Tuck
Collins (C)	Haygood	Merrill	Turnham
Collins (W)	Headley	Money	Waggoner
Cook (Jefferson)	Higginbotham	Nettles	Weeks
Crawford	Hill	Neville	Williams
Culver	Hobbie	Owen (Baldwin)	Wood
Dill	House	Owens (W)	Wright
Dobbs	Jackson (F)	Owens (W.E.)	Yeilding
Doss	Jackson (T)	Paulk	Young

—96

And the bill:

S. 877. Relating to counties having populations of not less than 17,800 nor more than 18,700, according to the most recent federal decennial census; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Bassett	Bowers	Burgess
Adwell	Beck	Brannan	Burgreen
Agee	Berryman (W)	Brassell	Cameron
Bank	Blanton	Brown	Cherner

Collins (C)	Hain	Mays	Robertson
Collins (W)	Hardin	McCorquodale	Sessions
Cook (Jefferson)	Harper	McDonald	Shumate
Crawford	Harris	McElhaney	Slate
Culver	Haygood	McLain	Smith
Dill	Headley	Meade	Snell
Dobbs	Higginbotham	Meeks	Springer
Doss	Hill	Melton	Starnes
Downing	Hobbie	Merrill	Steagall
Drake	House	Money	Stembridge
Edington	Jackson (F)	Nettles	Stubbs
Ellis	Jackson (T)	Neville	Tuck
Fine	Kilgore	Owen (Baldwin)	Turnham
Foshee	Laxson	Owens (W)	Waggoner
Gafford	Lemley	Owens (W.E.)	Weeks
Garrett	Lybrand	Paulk	Williams
Gloor	Malone	Pearson	Wood
Graham	Manley	Pennington	Wright
Grainger	Marr	Perloff	Yeilding
Grayson	Mathews	Pruitt	Young

—96

And the bill:

S. 890. Relating to counties having populations of not less than 17,800 nor more than 18,700, fixing the compensation of the Judge of the Inferior Court in such counties; providing that the Circuit Clerk in such counties shall be the ex-officio clerk of said Inferior Court; fixing the compensation of such Clerk, and providing for the institution of prosecutions for felonies, in such Inferior Court by affidavit before such Clerk, and upon writ issued by him.

Was read a third time at length and passed.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Pearson
Adwell	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Malone	Robertson
Beck	Foshee	Manley	Sessions
Berryman (W)	Gafford	Marr	Shumate
Blanton	Garrett	Mathews	Slate
Bowers	Gloor	Mays	Smith
Brannan	Graham	McCorquodale	Snell
Brassell	Grainger	McDonald	Springer
Brown	Grayson	McElhaney	Starnes
Burgess	Hain	McLain	Steagall
Burgreen	Hardin	Meade	Stembridge
Cameron	Harper	Meeks	Stubbs
Cherner	Harris	Melton	Tuck
Collins (C)	Haygood	Merrill	Turnham
Collins (W)	Headley	Money	Waggoner
Cook (Jefferson)	Higginbotham	Nettles	Weeks
Crawford	Hill	Neville	Williams
Culver	Hobbie	Owen (Baldwin)	Wood
Dill	House	Owens (W)	Wright
Dobbs	Jackson (F)	Owens (W.E.)	Yeilding
Doss	Jackson (T)	Paulk	Young

—96

And the bill:

S. 878. To fix the compensation of the deputy sheriffs in counties having populations of not less than 17,800 nor more than 18,700.

Was read a third time at length and passed.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Pearson
Adwell	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Malone	Robertson
Beck	Foshee	Manley	Sessions
Berryman (W)	Gafford	Marr	Shumate
Blanton	Garrett	Mathews	Slate
Bowers	Gloor	Mays	Smith
Brannan	Graham	McCorquodale	Snell
Brassell	Grainger	McDonald	Springer
Brown	Grayson	McElhaney	Starnes
Burgess	Hain	McLain	Steagall
Burgreen	Hardin	Meade	Stembridge
Cameron	Harper	Meeks	Stubbs
Cherner	Harris	Melton	Tuck
Collins (C)	Haygood	Merrill	Turnham
Collins (W)	Headley	Money	Waggoner
Cook (Jefferson)	Higginbotham	Nettles	Weeks
Crawford	Hill	Neville	Williams
Culver	Hobbie	Owen (Baldwin)	Wood
Dill	House	Owens (W)	Wright
Dobbs	Jackson (F)	Owens (W.E.)	Yeilding
Doss	Jackson (T)	Paulk	Young

—96

And the bill:

S. 260. Relating to Mobile County: To amend further Section 1 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), placing the Sheriff of Mobile County, Alabama, on a salary basis.

Was read a third time at length and passed.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Collins (C)	Gloor	Kilgore
Adwell	Collins (W)	Graham	Laxson
Agee	Cook (Jefferson)	Grainger	Lemley
Bank	Crawford	Grayson	Lybrand
Bassett	Culver	Hain	Malone
Beck	Dill	Hardin	Manley
Berryman (W)	Dobbs	Harper	Marr
Blanton	Doss	Harris	Mathews
Bowers	Downing	Haygood	Mays
Brannan	Drake	Headley	McCorquodale
Brassell	Edington	Higginbotham	McDonald
Brown	Ellis	Hill	McElhaney
Burgess	Fine	Hobbie	McLain
Burgreen	Foshee	House	Meade
Cameron	Gafford	Jackson (F)	Meeks
Cherner	Garrett	Jackson (T)	Melton

Merrill	Pearson	Smith	Turnham
Money	Pennington	Snell	Waggoner
Nettles	Perloff	Springer	Weeks
Neville	Pruitt	Starnes	Williams
Owen (Baldwin)	Robertson	Steagall	Wood
Owens (W)	Sessions	Stembridge	Wright
Owens (W.E.)	Shumate	Stubbs	Yeilding
Paulk	Slate	Tuck	Young

—96

And the bill:

S. 874. To alter, rearrange and extend the boundary lines and corporate limits of the City of Decatur, in Morgan County.

Was read a third time at length and passed.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Pearson
Adwell	Drake	Laxson	Pennington
Agee	Edington	Lemley	Perloff
Bank	Ellis	Lybrand	Pruitt
Bassett	Fine	Malone	Robertson
Beck	Foshee	Manley	Sessions
Berryman (W)	Gafford	Marr	Shumate
Blanton	Garrett	Mathews	Slate
Bowers	Gloor	Mays	Smith
Brannan	Graham	McCorquodale	Snell
Brassell	Grainger	McDonald	Springer
Brown	Grayson	McElhaney	Starnes
Burgess	Hain	McLain	Steagall
Burgreen	Hardin	Meade	Stembridge
Cameron	Harper	Meeks	Stubbs
Cherner	Harris	Melton	Tuck
Collins (C)	Haygood	Merrill	Turnham
Collins (W)	Headley	Money	Waggoner
Cook (Jefferson)	Higginbotham	Nettles	Weeks
Crawford	Hill	Neville	Williams
Culver	Hobbie	Owen (Baldwin)	Wood
Dill	House	Owens (W)	Wright
Dobbs	Jackson (F)	Owens (W.E.)	Yeilding
Doss	Jackson (T)	Paulk	Young

—96

And the bill:

S. 855. To alter and rearrange the boundary lines of the Town of Newsite, Alabama, so as to include within the corporate limits of the Town of Newsite, Alabama, all territory now within such corporate limits and also certain other territory.

Was read a third time at length and passed.

Yeas 96; Nays 0.

Yeas:

Mr. Speaker	Bowers	Collins (C)	Downing
Adwell	Brannan	Collins (W)	Drake
Agee	Brassell	Cook (Jefferson)	Edington
Bank	Brown	Crawford	Ellis
Bassett	Burgess	Culver	Fine
Beck	Burgreen	Dill	Foshee
Berryman (W)	Cameron	Dobbs	Gafford
Blanton	Cherner	Doss	Garrett

Gloor	Kilgore	Merrill	Smith
Graham	Laxson	Money	Snell
Grainger	Lemley	Nettles	Springer
Grayson	Lybrand	Neville	Starnes
Hain	Malone	Owen (Baldwin)	Steagall
Hardin	Manley	Owens (W)	Stembridge
Harper	Marr	Owens (W.E.)	Stubbs
Harris	Mathews	Paulk	Tuck
Haygood	Mays	Pearson	Turnham
Headley	McCorquodale	Pennington	Waggoner
Higginbotham	McDonald	Perloff	Weeks
Hill	McElhaney	Pruitt	Williams
Hobbie	McLain	Robertson	Wood
House	Meade	Sessions	Wright
Jackson (F)	Meeks	Shumate	Yeilding
Jackson (T)	Melton	Slate	Young

—96

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1307. Relating to all incorporated cities and towns within the State of Alabama; authorizing all cities and towns to provide by ordinance for the levy and assessment of sales taxes, parallel to the State levy of sales taxes as levied by Act No. 100, H. 94, Second Special Session 1959, as amended; providing that all such taxes levied or assessed shall be subject to all definitions exceptions, exemptions, proceedings, requirements, provisions, penalties, fines, punishments, and deductions, as are provided by Act No. 100, H. 94, Second Special Session 1959, as amended; authorizing said cities and towns to provide by ordinance for the levy and assessment of an excise tax or use tax parallel to the State levy and assessment of excise or use taxes, as levied by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended; providing that the levy and assessment of all said excise taxes and use taxes shall be subject to all definitions, exceptions, exemptions, requirements, provisions, penalties, fines, punishments and deductions, as are provided by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended; providing that said cities and towns shall from time to time adopt by ordinance such rules and regulations for making returns and for ascertainment, assessment, and collection of any taxes levied as it may deem necessary to enforce these provisions; providing that the Council or other governing body may adopt in whole or in part any rules and regulations which may be promulgated by the State Department of Revenue or may modify and amend the same, subject to the discretion of the Council or other governing body; providing that the Council or other governing body shall have the authority to provide by ordinance for the rate of said tax, providing that the same may be levied and assessed in whole or in part, in lieu of any privilege license tax based on gross receipts which at the time of said levy, is otherwise provided for by ordinance, pursuant to Title 37, Sec. 735, Code of Alabama 1940; providing that any previous pledge of the proceeds collected from a privilege license tax levied by ordinance, pursuant to Title 37, Sec. 735, Code of Alabama 1940, shall have full force and effect as to any levy or assessment made pursuant to this Act; providing for the levy and assessment of all taxes herein authorized within the police jurisdiction of any said city or town; providing that the Council or other governing body may by Resolution provide for the administration and collection of all taxes levied and assessed under the provisions of this Act by the State Department of Revenue under the provisions and procedures provided for by Act No. 203, H. 99, Special Session 1965.

Also:

H. 1308. To provide that all municipalities and all counties levying an excise or privilege license tax upon the sale, use or consumption, distribution, storage or withdrawal from storage, of gasoline or motor fuel may require that where the tax has been paid to the municipality or county by a distributor, refiner, or by any retail dealer, storer, or user, such payment shall be sufficient, the intent being that the tax shall be borne by the consumer and paid to the municipality or county but once.

Also:

H. 3. To amend Section 5 of Act No. 352, H. 44, approved August 23, 1957, General Acts of Alabama of 1957, page 464, as amended by Act No. 80, H. 118, approved September 30, 1965, page 110, so as to remove the requirement that an allocation be made as to each pool where there is an addition to an existing field wide unit.

Also:

H. 1004. To amend Act No. 531 adopted at the 1953 Regular Session of the Legislature of Alabama relating to pledges by municipalities, for the benefit of their securities, of that portion of the proceeds from any license, privilege or excise tax levied by local act apportioned and paid to such municipality, so that the said act shall hereafter apply to such taxes levied by any act; so as to provide that successive pledges of any such tax may be made on a parity with each other when the privilege so to do is reserved in proceedings of the municipality; and so as to ratify any pledges of the character authorized by the said act, as herein amended, that may have heretofore been made.

Also:

H. 593. To repeal Title 8, Section 95, Code of Alabama 1940; 1935 General Acts, Page 813, and to amend Act No. 187, H 186, Acts of Alabama, Special Session 1961, Page 2157, approved September 15, 1961, which relates to licenses to capture and kill furbearing animals.

McDOWELL LEE,
Secretary.

MOTION TO BRING UP S. 5

On motion of Mr. Pennington, the rules were suspended and permission granted to bring up out of order the bill, S. 5.

Yeas 59; Nays 11.

Yeas:

Messrs.:	Edington	Lybrand	Pennington
Agee	Ellis	Malone	Pruitt
Beck	Foshee	Manley	Sessions
Berryman (W)	Graham	McDonald	Shumate
Brannan	Grainger	McLain	Slate
Brassell	Hain	Meade	Smith
Brown	Hardin	Meeks	Snell
Burgreen	Harris	Melton	Springer
Cameron	Headley	Merrill	Starnes
Collier	Higginbotham	Money	Steagall
Collins (C)	Hobbie	Nettles	Stembridge
Crawford	Holladay	Owen (Baldwin)	Weeks
Dill	Kilgore	Owens (W.E.)	Williams
Doss	Laxson	Paulk	Yeilding
Downing	Lemley	Pearson	Young

—59

Nays:

Mr. Speaker	Fine	Jackson (T)	Owens (W)	
Blanton	Gafford	Marr	Perloff	
Cook (Jefferson)	House	McCorquodale		—11

And the bill:

S. 5. To amend further Code of Alabama 1940, Title 52, Section 495, which relates to meetings of the board of trustees of the University of Alabama, in relation to the places of such meetings.

Was read a third time at length and passed.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Drake	Lemley	Pearson	
Adwell	Edington	Lybrand	Pennington	
Agee	Ellis	Lyons	Perloff	
Bassett	Foshee	Malone	Pruitt	
Beck	Gafford	Manley	Sessions	
Berryman (W)	Gloor	Mays	Slate	
Blanton	Graham	McCorquodale	Smith	
Brannan	Grainger	McDonald	Snell	
Brassell	Hain	McElhaney	Springer	
Brown	Hardin	McLain	Starnes	
Burgreen	Harper	Meade	Steagall	
Cameron	Harris	Meeks	Stembridge	
Cherner	Haygood	Melton	Stubbs	
Collier	Headley	Money	Turnham	
Collins (C)	Higginbotham	Nettles	Waggoner	
Collins (W)	Hill	Neville	Watkins	
Crawford	Hobbie	Owen (Baldwin)	Weeks	
Dill	Holladay	Owens (W)	Williams	
Dobbs	House	Owens (W.E.)	Wright	
Doss	Jackson (T)	Paulk	Yeilding	
Downing	Laxson			—82

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the House amendment to the Bill:

S. 518. To fix the compensation of circuit judges in Alabama; and to provide the method of payment and effective date thereof.

said Conference Report being in words and figures as follows, to-wit:

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL 518

We, the committee of conference appointed to reconcile the differences between the two houses concerning the bill, S. B. 518, have met and considered the matter referred and beg leave to report as follows:

Amend Senate Bill 518, as amended by Substitute, by inserting, immediately following Section 2, a new paragraph numbered Section 3, as follows:

"Section 3. The parts of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains."

Also, renumber Section 3 as Section 4.

E. W. SKIDMORE
ALTON TURNER
OLLIE W. NABORS
Senate Conferees

BRYCE GRAHAM
HUGH D. MERRILL
W. A. BERRYMAN
House Conferees

And said Bill, S. B. 518, as thus amended by the Conference Report, was again read at length and passed.

And said Bill, S. B. 518, together with the Conference Report, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 518, said report being set out in the above and foregoing Message from the Senate.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Ellis	Kilgore	Pearson
Adwell	Fine	Laxson	Perloff
Agee	Foshee	Lybrand	Pruitt
Beck	Gafford	Malone	Sessions
Berryman (W)	Graham	Manley	Slate
Brannan	Grainger	McCorquodale	Smith
Brassell	Hain	McLain	Snell
Brown	Hardin	Meade	Springer
Cameron	Harper	Meeks	Steagall
Collier	Harris	Melton	Stembridge
Collins (W)	Haygood	Merrill	Stubbs
Crawford	Headley	Money	Turnham
Dill	Higginbotham	Nettles	Waggoner
Dobbs	Hill	Neville	Weeks
Doss	Hobbie	Owen (Baldwin)	Williams
Downing	House	Owens (W)	Wood
Drake	Jackson (F)	Owens (W.E.)	Young
Edington	Jackson (T)	Paulk	—71

And the bill:

S. 70 (with amendment). Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of re-

fusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Highway Safety, said Committee amendment being as follows:

Amend Senate Bill 70 by striking Section 1(c) of said Senate Bill 70 and insert in lieu thereof the following:

(c) If a person under arrest refuses upon the request of a law enforcement officer to submit to a chemical test designated by the law enforcement agency as provided in paragraph (a) of this section, none shall be given but the Director of Public Safety, upon the receipt of a sworn report of the law enforcement officer that he had reasonable grounds to believe the arrested person had been driving a motor vehicle upon the public highways of this State while under the influence of intoxicating liquor and that the person had refused to submit to the test upon the request of the law enforcement officer, shall suspend his license or permit to drive, or the privilege of driving a motor vehicle on the highways of this State given to a non-resident or if the person is a resident without a license or permit to operate a motor vehicle in this State, the Director shall deny to the person the issuance of a license or permit for a period of forty-five (45) days after the date of the alleged violation, subject to review as hereinafter provided. Provided, further, if such person is acquitted on the charge of driving a motor vehicle upon the highways of this State while under the influence of intoxicating liquor, then in that event the Director of Public Safety may, in his discretion, reduce said period of suspension.

And the amendment was adopted.

Yeas 89; Nays 2.

Yeas:

Mr. Speaker	Ellis	Lybrand	Pearson
Adwell	Fine	Lyons	Pennington
Agee	Foshee	Malone	Perloff
Bassett	Gafford	Manley	Pruitt
Beck	Garrett	Marr	Sessions
Blanton	Gloor	Mathews	Shumate
Brannan	Graham	Mays	Slate
Brassell	Grainger	McCorquodale	Smith
Burgess	Hain	McDonald	Snell
Burgreen	Hardin	McElhaney	Springer
Cameron	Harper	McLain	Starnes
Cherner	Harris	Meade	Steagall
Collier	Haygood	Meeks	Stembridge
Collins (C)	Headley	Melton	Stubbs
Collins (W)	Higginbotham	Merrill	Tuck
Cook (Jefferson)	Hill	Money	Turnham
Crawford	Hobbie	Nettles	Waggoner
Dill	House	Neville	Weeks
Dobbs	Jackson (F)	Owen (Baldwin)	Williams
Doss	Kilgore	Owens (W)	Wood
Downing	Laxson	Owens (W.E.)	Wright
Drake	Lemley	Paulk	Yeilding
Edington			

—89

Nays: Messrs. Brown and Young —2

Mr. Shumate offered Amendment #1 to the bill, S. 70, said amendment being as follows:

In Section 1 strike out subsection (b) and insert in lieu thereof the following:

(b) Any person who is dead, unconscious or who is otherwise in a condition rendering him incapable of refusal, shall be deemed to have withdrawn the consent provided by paragraph (a) of this section, and no test or tests shall be administered, pursuant to this Act unless a member of such person's immediate family or a close relative of his, upon being told that failure of such person to submit to such a chemical test will result in the suspension of his privilege to operate a motor vehicle for a period of ninety days, authorizes or consents to the administering of such test or tests.

Also in Section 2(b) strike out the period at the end of the first sentence in such section and insert in lieu thereof the following:
, and must be made of blood, urine or breath taken within two hours after the person suspected of driving while under the influence of intoxicating liquor was arrested.

On motion of Mr. Collins (W), the amendment #1 offered by Mr. Shumate was tabled.

Yeas 74; Nays 18.

Yeas:

Messrs.:	Drake	Lyons	Pennington
Adwell	Edington	Malone	Pruitt
Agee	Ellis	Manley	Sessions
Bank	Fine	Marr	Smith
Bassett	Foshee	Mays	Snell
Beck	Gafford	McCorquodale	Springer
Blanton	Gloor	McDonald	Starnes
Brannan	Grainger	McElhaney	Steagall
Brassell	Hardin	McLain	Stembridge
Cameron	Harris	Meeks	Stubbs
Cherner	Headley	Melton	Tuck
Collier	Higginbotham	Merrill	Turnham
Collins (C)	Hill	Money	Waggoner
Collins (W)	Hobbie	Nettles	Weeks
Cook (Jefferson)	Holladay	Neville	Williams
Crawford	House	Owen (Baldwin)	Wright
Dill	Jackson (F)	Owens (W)	Yeilding
Doss	Laxson	Owens (W.E.)	Young
Downing	Lybrand	Paulk	—74

Nays:

Mr. Speaker	Dobbs	Meade	Shumate
Berryman (W)	Garrett	Pearson	Slate
Brown	Graham	Perloff	Watkins
Burgess	Grayson	Robertson	Wood
Burgreen	Jackson (T)		—18

MOTION TO RECESS LOST

The motion of Mr. Watkins that the House recess for two hours was lost.

Yeas 19; Nays 68.

Yeas:

Mr. Speaker	Jackson (T)	Meade	Slate
Dobbs	Lyons	Owen (Baldwin)	Turnham
Fine	Marr	Paulk	Watkins
Graham	Mathews	Robertson	Wood
Hain	McElhaney	Shumate	

—19

Nays:

Messrs.:	Doss	Jackson (F)	Pennington
Agee	Downing	Kilgore	Perloff
Bank	Drake	Lybrand	Sessions
Bassett	Edington	Malone	Smith
Berryman (W)	Foshee	Manley	Snell
Blanton	Garrett	Mays	Springer
Bowers	Grainger	McCorquodale	Starnes
Brannan	Grayson	McDonald	Steagall
Brassell	Hardin	McLain	Stembridge
Cameron	Harris	Meeks	Stubbs
Cherner	Haygood	Melton	Tuck
Collier	Headley	Merrill	Waggoner
Collins (C)	Higginbotham	Money	Weeks
Collins (W)	Hill	Nettles	Williams
Cook (Jefferson)	Hobbie	Neville	Wright
Crawford	Holladay	Owens (W)	Yeilding
Culver	House	Pearson	Young
Dill			

—68

Mr. Shumate offered Amendment #2 to the bill, S. 70, said amendment being as follows:

In Section 2(a) 3. strike out the period at the end of the section and insert in lieu thereof the following:

; and if such presumption is not rebutted then upon conviction such person shall be sentenced to not less than thirty days imprisonment and such sentence may not be suspended.

On motion of Mr. Collins (W), the amendment #2 offered by Mr. Shumate was tabled.

Yeas 65; Nays 28.

Yeas:

Messrs.:	Edington	Manley	Pennington
Adwell	Foshee	Marr	Pruitt
Agee	Gafford	Mays	Sessions
Bank	Gloor	McCorquodale	Smith
Bassett	Grainger	McDonald	Snell
Blanton	Hardin	McElhaney	Springer
Brassell	Harper	McLain	Starnes
Burgess	Harris	Meeks	Steagall
Cameron	Headley	Melton	Stubbs
Collier	Higginbotham	Merrill	Tuck
Collins (C)	Hill	Nettles	Turnham
Collins (W)	Hobbie	Neville	Waggoner
Cook (Jefferson)	Holladay	Owen (Baldwin)	Williams
Culver	Jackson (F)	Owens (W)	Wright
Dill	Laxson	Paulk	Yeilding
Doss	Lybrand	Pearson	Young
Drake	Malone		

—65

Nays:

Mr. Speaker	Crawford	Haygood	Perloff
Berryman (W)	Dobbs	House	Robertson
Bowers	Downing	Jackson (T)	Shumate
Brannan	Fine	Lemley	Slate
Brown	Garrett	Lyons	Stembridge
Burgreen	Graham	Meade	Watkins
Cherner	Grayson	Owens (W.E.)	Wood

—28

MOTION TO CARRY OVER

Mr. Shumate moved that the bill, S. 70, be carried over to the thirty-sixth legislative day.

On motion of Mr. Collins (W), the motion of Mr. Shumate to carry over was tabled.

Yeas 74; Nays 15.

Yeas:

Messrs.:	Drake	Lybrand	Pearson
Adwell	Edington	Lyons	Pennington
Agee	Ellis	Malone	Sessions
Bank	Foshee	Manley	Slate
Bassett	Garrett	Marr	Smith
Beck	Gloor	Mays	Snell
Blanton	Grainger	McCorquodale	Springer
Brassell	Hardin	McDonald	Starnes
Cameron	Harper	McElhaney	Stembridge
Cherner	Harris	McLain	Stubbs
Collier	Haygood	Meade	Tuck
Collins (C)	Higginbotham	Meeks	Turnham
Collins (W)	Hill	Melton	Waggoner
Cook (Jefferson)	Hobbie	Merrill	Williams
Crawford	Holladay	Nettles	Wood
Culver	House	Neville	Wright
Dill	Jackson (F)	Owen (Baldwin)	Yeilding
Doss	Kilgore	Owens (W)	Young
Downing	Laxson	Owens (W.E.)	

—74

Nays:

Mr. Speaker	Burgreen	Headley	Shumate
Berryman (W)	Dobbs	Jackson (T)	Steagall
Brown	Fine	Perloff	Watkins
Burgess	Graham	Robertson	

—15

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning House Bill No. 780 with a suggested Executive Amendment.

Respectfully submitted,

ROBERT M. CLECKLER,
Executive Secretary.

August 26, 1969

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you herewith, the Body in which it originated, House Bill No. 780 without my approval.

I respectfully suggest the following amendment:

Amend the caption and Sections 1 and 3 of H. B. 780 where the words "Court of Appeals" appear by substitution in lieu thereof the words "Court of Criminal Appeals."

The adoption of the suggested amendment will remove my objection to the bill.

Respectfully,

ALBERT P. BREWER,
Governor.

August 26, 1969

GOVERNOR'S MESSAGE

On motion of Mr. Mathews, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 780, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Foshee	Lemley	Paulk
Agee	Gafford	Lybrand	Pearson
Bank	Garrett	Lyons	Pennington
Bassett	Gloor	Malone	Perloff
Beck	Graham	Manley	Pruitt
Berryman (W)	Grainger	Marr	Robertson
Brannan	Grayson	Mays	Sessions
Brassell	Hain	McCorquodale	Smith
Burgreen	Hardin	McDonald	Snell
Cameron	Harper	McElhaney	Springer
Collier	Harris	McLain	Steagall
Collins (W)	Haygood	Meade	Stembridge
Cook (Jefferson)	Headley	Melton	Stubbs
Crawford	Higginbotham	Merrill	Tuck
Culver	Hill	Money	Turnham
Dill	Hobbie	Nettles	Waggoner
Dobbs	Holladay	Neville	Williams
Doss	House	Owen (Baldwin)	Wright
Downing	Jackson (F)	Owens (W)	Yeilding
Edington	Kilgore	Owens (W.E.)	Young
Fine	Laxson		

—82

Which was a majority of the whole number elected to the House.

And said bill:

H. 780. To provide for a Dockets Clerk of the Court of Appeals of Alabama, to provide for the duties of said Dockets Clerk, to fix the compensation, and to make an appropriation for carrying out the provisions of this act.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 89; Nay 1.

Yeas:

Mr. Speaker	Edington	Laxson	Paulk
Adwell	Fine	Lemley	Pearson
Agee	Foshee	Lybrand	Pennington
Bank	Gafford	Lyons	Perloff
Bassett	Garrett	Malone	Pruitt
Beck	Gloor	Manley	Robertson
Berryman (W)	Graham	Marr	Sessions
Bowers	Grainger	Mathews	Smith
Brannan	Grayson	Mays	Snell
Brassell	Hain	McCorquodale	Springer
Burgess	Hardin	McDonald	Starnes
Burgreen	Harper	McElhaney	Steagall
Cameron	Harris	McLain	Stembridge
Cherner	Haygood	Meade	Stubbs
Collier	Headley	Meeks	Tuck
Collins (C)	Higginbotham	Melton	Turnham
Collins (W)	Hill	Merrill	Waggoner
Crawford	Hobbie	Money	Watkins
Culver	Holladay	Nettles	Williams
Dobbs	House	Neville	Wright
Doss	Jackson (F)	Owens (W)	Yeilding
Downing	Kilgore	Owens (W.E.)	Young
Drake			—89

Nay: Mr. Dill —1

Which was a majority of the whole number elected to the House.

MOTION TO RECOMMIT S. 888 AND S. 887

On motion of Mr. House, the bills, S. 888 and S. 887, were recommitted by the Speaker to the Standing Committee on State Administration.

MOTION TO ADJOURN LOST

The motion of Mr. Headley that the House adjourn until two o'clock P. M. Thursday, September 4, 1969, was lost.

Yeas 4; Nays 63.

Yeas:

Messrs.:	Paulk	Robertson	Tuck
Graham			—4

Nays:

Mr. Speaker	Cherner	Foshee	Mathews
Adwell	Collier	Gloor	Mays
Agee	Collins (C)	Grainger	McCorquodale
Bank	Collins (W)	Hardin	McDonald
Bassett	Cook (Jefferson)	Harris	McLain
Beck	Crawford	Holladay	Meeks
Berryman (W)	Culver	House	Melton
Blanton	Doss	Jackson (F)	Money
Brannan	Downing	Laxson	Nettles
Brassell	Drake	Lemley	Neville
Brown	Edington	Lybrand	Owen (Baldwin)
Burgreen	Fine	Marr	Pennington

Perloff	Springer	Stubbs	Wright	
Pruitt	Starnes	Turnham	Yeilding	
Sessions	Steagall	Waggoner	Young	
Smith	Stembridge	Watkins		—63

MOTION TO RECESS LOST

The motion of Mr. Robertson that the House recess for one hour and twenty minutes was lost.

Yeas 22; Nays 58.

Yeas:

Mr. Speaker	Hain	McDonald	Robertson	
Burgess	Hobbie	McElhaney	Shumate	
Burgreen	Jackson (T)	Meade	Slate	
Dobbs	Laxson	Owen (Baldwin)	Snell	
Fine	Malone	Owens (W.E.)	Starnes	
Graham	Marr			—22

Nays:

Messrs.:	Dill	Holladay	Pennington	
Adwell	Doss	House	Perloff	
Agee	Downing	Jackson (F)	Pruitt	
Bank	Drake	Lemley	Smith	
Bassett	Edington	Lybrand	Springer	
Beck	Ellis	Manley	Steagall	
Berryman (W)	Foshee	Mays	Stembridge	
Blanton	Garrett	McCorquodale	Stubbs	
Brannan	Grainger	McLain	Tuck	
Brassell	Grayson	Melton	Turnham	
Collier	Hardin	Merrill	Weeks	
Collins (C)	Harper	Nettles	Williams	
Cook (Jefferson)	Harris	Neville	Yeilding	
Crawford	Haygood	Owens (W)	Young	
Culver	Higginbotham	Pearson		—58

S. 70 RESUMED

Mr. Perloff offered the following amendment to the bill, S. 70:

Amend Section 5 (e) of Senate Bill 70 by adding the following words at the end thereto: "but in no case shall a female be required to submit to the tests provided herein unless the tests are conducted in a licensed hospital or in the office of a licensed physician."

On motion of Mr. Collins (W), the amendment offered by Mr. Perloff was tabled.

Yeas 62; Nays 29.

Yeas:

Messrs.:	Cameron	Foshee	Higginbotham
Agee	Collier	Garrett	Hill
Bank	Collins (C)	Gloor	Holladay
Bassett	Collins (W)	Grainger	Jackson (F)
Beck	Crawford	Hardin	Kilgore
Blanton	Culver	Harper	Laxson
Bolton	Drake	Harris	Lybrand
Brannan	Edington	Haygood	Malone
Brassell	Ellis	Headley	Manley

Mays	Nettles	Pruitt	Tuck	
McCorquodale	Neville	Sessions	Turnham	
McElhaney	Owen (Baldwin)	Smith	Waggoner	
Meeks	Owens (W)	Snell	Wright	
Melton	Owens (W.E.)	Springer	Yeilding	
Merrill	Pearson	Stembridge	Young	
Money	Pennington	Stubbs		—62

Nays:

Mr. Speaker	Downing	Lemley	Slate	
Adwell	Fine	Lyons	Starnes	
Brown	Graham	McDonald	Steagall	
Burgess	Grayson	Meade	Watkins	
Burgreen	Hobbie	Perloff	Weeks	
Cook (Jefferson)	House	Robertson	Williams	
Dill	Jackson (T)	Shumate	Wood	
Dobbs				—29

Mr. House moved that the bill, S. 70, be carried over until seven o'clock P. M.

On motion of Mr. Collins (W), the motion of Mr. House to carry over was tabled.

Yeas 66; Nays 23.

Yeas:

Messrs.:	Doss	Laxson	Pearson	
Agee	Drake	Lybrand	Pennington	
Bassett	Edington	Lyons	Pruitt	
Beck	Ellis	Manley	Sessions	
Blanton	Foshee	Mathews	Smith	
Bolton	Gafford	Mays	Snell	
Bowers	Garrett	McCorquodale	Springer	
Brassell	Gloor	McDonald	Starnes	
Burgreen	Grainger	Meeks	Stubbs	
Cherner	Hardin	Melton	Tuck	
Collier	Harper	Merrill	Turnham	
Collins (C)	Haygood	Money	Waggoner	
Collins (W)	Headley	Nettles	Weeks	
Cook (Jefferson)	Higginbotham	Neville	Wright	
Crawford	Hill	Owen (Baldwin)	Yeilding	
Culver	Holladay	Owens (W)	Young	
Dill	Jackson (F)	Owens (W.E.)		—66

Nays:

Mr. Speaker	Fine	Kilgore	Robertson	
Bank	Graham	Lemley	Shumate	
Brown	Grayson	McElhaney	Steagall	
Burgess	Hobbie	McLain	Watkins	
Dobbs	House	Meade	Wood	
Downing	Jackson (T)	Perloff		—23

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 57. To repeal Section 30, Title 13, Code of Alabama 1940, which requires the justices of the Supreme Court to remain in Montgomery during terms of court.

Also:

S. 58. To amend Section 29, Title 13, Code of Alabama 1940, as amended, relating to the salary of every justice of the supreme court.

Also:

S. 59. To provide for a supreme court composed of a chief justice and eight associate justices; amending Code 1940, Title 13, Secs. 10, 11, 14, and 15, and Title 17, Sec. 71.

Also:

S. 60. To amend Sections 31, 32 and 33, Title 13, Code of Alabama 1940, as amended, relating to supernumerary justices of the supreme court so as to provide further conditions for mandatory and elective status and to prescribe the duties, powers and salaries of such justices.

Also:

S. 93. Relating to suffrage and elections; authorizing and providing for registration of certain absentee electors by mail.

Also:

S. 98. Proposing an amendment to the Constitution of Alabama providing for the registration of electors by mail.

Also:

S. 101. To amend the Securities Act of Alabama (Acts 1959, v. 2, p. 1318, et seq., Act No. 542, Regular Session 1959) so as to make further provisions relating to the registration of securities dealers and salesmen and the registration and sale of securities.

Also:

S. 112. To create the office of Supernumerary Probate Judge in the various counties of Alabama; prescribing the qualifications, term, duties, powers, authority, compensation or salary of such judge, and providing for the payment of the compensation or salary of any county Supernumerary Probate Judge.

Also:

S. 153. To amend further Section 188 of Title 37 of the Code of Alabama, 1940, as amended by Act Number 642, Acts of the Legislature of Alabama, 1947 (General Acts Alabama 1947, page 495), which relates to mode of consolidating contiguous municipalities.

Also:

S. 190. To prohibit the feeding of garbage to swine and to repeal conflicting laws, including Act No. 187, Regular Session 1953 (Acts of 1953, p. 240); and to provide for the enforcement of this Act, and to fix the date on which said Act shall become effective.

Also:

S. 223. To amend Section 19 of Act No. 108, H. B. 152, approved August 26, 1959 (Acts 1959, v. 1., p. 618), an act relating to the practice of chiropractic so as to require the completion of fifteen hours annually of professional educational work to be approved by the state board of chiropractic examiners as a condition for the renewal of certificates of qualification to practice chiropractic.

Also:

S. 242. To amend Section 12 of Act No. 108, H. B. 152, approved August 26, 1959 (Acts 1959, v. 1, p. 615), an act relating to the practice of chiropractic, so as to specify additional grounds for suspension or revocation of a certificate of qualification to practice chiropractic.

Also:

S. 246. To create a Property Inventory Control Division in the office of the State Auditor; transferring to it the functions, jurisdiction, authority, personnel, property and effects vested in or required for that function in the Division of Service of the Finance Department; relieving the Director of the Finance Department of the responsibility of maintaining property records; and making an appropriation for carrying out the purposes of this act.

Also:

S. 247. To amend further Act No. 582, H. 402, Regular Session 1965 (Acts 1965, p. 1079), entitled "An Act to fix the compensation of certain state officers."

Also:

S. 258. To further amend Section 2 of an Act of the Legislature of Alabama being Local Act No. 102 approved June 3, 1943, page 59 of the Local Acts of 1943 as amended by an Act of the Legislature of Alabama being Local Act No. 784 approved September 8, 1961, page 1136 of the Local Acts of 1961, entitled: "To authorize the Sheriff of Mobile County, Alabama, to select and appoint an attorney to advise and counsel him on the operation of such office and to handle all legal matters pertaining to said office; to provide for the manner of the appointment of such attorney, the term of office of such attorney; to provide for the salary of such attorney and the method of payment of such salary."

Also:

S. 261. To amend Section 1 of Act No. 440, S. 186, Special Session 1966 (Acts 1966, p. 597), relating to the compensation of the chief deputy and certain employees in the sheriff's department in counties having populations of not less than 300,000 nor more than 500,000.

Also:

S. 278. Relating to banks and banking; amending further Code of Alabama 1940, Title 5, Section 91, which relates to filing fees for permits to transact business; amending such section to prescribe fees to be paid with the application for a permit for the merger of two or more banks, and providing for the disposition of such fees.

Also:

S. 322. To amend Act No. 221, H. 40, of the First Special Session of 1965 (Acts, Special Session 1965, p. 288) in relation to the State Textbook Committee, prescribing the number of members thereof, the manner of their appointment, their terms of office and the time for meetings of the committee.

Also:

S. 335. To amend Section 291 of Title 46 of the Code of Alabama 1940.

Also:

S. 336. To amend Section 259 of Title 46 of the Code of Alabama 1940.

Also:

S. 338. Relating to juries and jurors; to provide compensation for wage loss sustained by employees required to serve on juries of courts created pursuant to the Constitutions and laws of the United States and the State of Alabama; to repeal conflicting laws and for other purposes.

Also:

S. 339. To provide that no member of a train crew, yard crew or engine crew of a railroad, which is a common carrier, shall be held personally responsible or found guilty of violating any law of this state or any municipal ordinance regulating or intended to regulate the occupying or blocking of any street, road or highway crossing-at-grade by trains or passenger or freight cars upon proof of certain facts; to provide that the provisions of this Act shall not relieve the employer or railroad from certain responsibility; and to repeal certain laws and ordinances.

Also:

S. 367. To amend Section 2 of Act No. 287, Acts of Alabama, First Special Session, 1965 (p. 395), entitled, "An Act Relating to cities having populations of not less than 200,000 nor more than 300,000, according to the last or any subsequent federal decennial census; affecting and regulating the commission form of government which now exists or which may hereafter exist in any such cities; prescribing the compensation of the members of the boards of commissioners; prescribing and imposing a qualifying fee upon persons who desire to become candidates for the office of commissioner."

Also:

S. 390. To amend "The Physical Therapy Practice Act," Act No. 476, H. 8, Regular Session 1965 (Acts, Regular Session 1965, p. 686), in order to provide further for registration of physical therapists and to provide for licensing of physical therapy assistants; specifically to provide further for examinations of applicants for registration and licensing; and to clarify certain provisions in the Act.

Also:

S. 461. To provide for the indemnification by all corporations of corporate directors, officers, employees and agents against expenses, judgments, fines and settlements in certain cases; and to that end to authorize any corporation to purchase and maintain insurance on behalf of such persons to indemnify them against liability in certain cases; and to provide that this act shall be supplemental to and not in derogation of any other rights of indemnification.

Also:

S. 466. Relating to counties having populations of not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; to amend Act No. 628, H. 820, Regular Session 1967 (Acts 1967, p. 1431), an act which provides further for clerk hire allowances for certain county officers, and repeals conflicting laws, amending such act in relation to the clerk hire allowance for the circuit clerk.

Also:

S. 480. To amend Title 22, Section 256 and Section 258, Code of Alabama 1940, to include a new synthetic equivalent of cannabis (tetrahydrocannabinol) and to revise penalties.

Also:

S. 499. To amend Sections 65 and 67 of Act No. 414 adopted at the Regular Session of the Legislature of Alabama of 1959 so as to provide that the shares of corporations merging into a single corporation may be converted, in whole or in part, into cash or property or into shares, other securities, or obligations of any other corporation.

Also:

S. 507. To amend the provisions of Title 22, Section 215, Code of Alabama, 1940, as amended, by exempting associations and cooperative corporations from payment of license fees as milk producers.

Also:

S. 508. To amend the provisions of Title 22, Section 206, Code of Alabama, 1940, as amended, by changing the definitions of milk dealer, producer, wholesale producer, and cooperative marketing association in the milk board law.

Also:

S. 509. To amend the provisions of Title 22, Section 228, Code of Alabama, 1940, as amended, by changing the provisions of the milk board law with respect to cooperative corporations.

Also:

S. 537. To create and establish a Court of record with county wide limited jurisdiction of criminal cases and civil actions at law and in equity, to be called the Houston County Court; in lieu of, and to replace the law and equity Court of Houston County; to abolish the Law and Equity Court of Houston County; to provide for the jurisdiction of said Houston County Court and the officers thereof; to fix their duties, powers, authority, and compensation; to provide for the transfer of all cases pending in the abolished Court to the newly established Court, and to repeal Act No. 210, H. 479, Regular Session of the Legislature of Alabama of 1965 at Page 269, as amended, and all conflicting laws.

Also:

S. 556. Relating to counties having populations of not less than 300,000 nor more than 500,000; prohibiting the killing of unantlered male deer.

Also:

S. 558. To make further provisions regarding the licensing of trucks and truck-tractors to allow proper credit and the quarterly declining basis under stated circumstances where a higher license than that previously issued is required for any fiscal or license year by change in gross vehicle weight allowance or in the use of the vehicle, to provide penalties for improper licensing, and to repeal all laws or parts of laws in conflict herewith.

Also:

S. 567. Proposing a constitutional amendment relative to the title and use of sixteenth section school lands lying within the corporate limits of the City of Mobile.

Also:

S. 604. To amend Section 4 of Act No. 175, S. B. 280 Regular Session, 1951 (Acts of Alabama, 1951, Volume I, p. 416, et seq), an act providing for the incorporation of municipal water, sewer, gas and electric boards and systems.

Also:

S. 605. To amend Sections 4 and 11 of Act No. 762, S. B. 515, Regular Session, 1951 (Acts of Alabama, 1951, Volume II, p. 1319 et seq), an act providing for and authorizing the incorporation of gas districts in the State of Alabama, so as to provide that a gas district may sell and convey a gas system or systems to utility companies or corporations regulated by the Alabama Public Service Commission, and likewise at foreclosure proceedings.

Also:

S. 606. To amend Title 37, Section 376, Code of Alabama, 1940, so as to define "electric light plant", "gas plant", and "waterworks plant".

Also:

S. 607. To amend Section 6 of Act No. 154, H. B. 308, Regular Session, 1947 (General Acts of Alabama, 1947, p. 52), an act authorizing water works boards to acquire, maintain and operate gas plants and systems, so as to authorize the sale of a municipal gas plant or system to utility companies or corporations regulated by the Alabama Public Service Commission.

Also:

S. 619. To make an appropriation out of the general fund of the state treasury for the relief of the estate of Charles M. Pinkston.

Also:

S. 645. To create a state commission to be known as the State Capitol Preservation Commission; to provide for the number, term and appointment of members of the commission; to prescribe the commission's authority; and to provide that members of the commission shall serve without compensation or reimbursement of expenses.

Also:

S. 650. To provide a method for issuing motor vehicle license tags by mail in counties having a population of not less than 55,000 nor more than 60,000 according to the last or any subsequent federal decennial census by any Judge of Probate or License Commissioner charged with the duty of issuing such license tag.

Also:

S. 655. To alter, extend and rearrange the boundary lines of the City of Saraland, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Also:

S. 656. To alter, extend and rearrange the boundary lines of the City of Chickasaw, Mobile County, Alabama, so as to include within the corporate limits of said City all territory now within such corporate limits and also certain other territory in Mobile County, Alabama, contiguous to said City.

Also:

S. 657. Relating to Morgan County; to authorize and regulate the issuance in such county of motor vehicle license tags by mail.

Also:

S. 658. To provide for and regulate participation of employees of Morgan County and of employees of cities in such county in certain retirement funds for county and city employees, when the compensation of such employees is paid in part by the county or in part by the city and in part from public funds from other sources; to authorize the county and cities therein to contribute to such retirement funds on the basis of such employee's total compensation from all sources; and to authorize provisions for such participation to be retroactive.

Also:

S. 659. To authorize the county boards of education of Limestone and Morgan Counties and the city boards of education of any cities in such counties having independent school systems to fix and collect tuition fees and charges from pupils attending schools under the respective jurisdictions of such boards, but who live outside the territory over which such boards of education have jurisdiction.

Also:

S. 677. Relating to counties having populations of not less than 300,000 and not more than 500,000; authorizing municipalities in such counties to contract with any public corporation operating a water system or water and sewer system or sewer system within the municipality to collect or assist in the collection of the municipal garbage service charge.

Also:

S. 682. To fix the compensation of the members and the chairman of the Board of Revenue and Control of Morgan County; and to repeal Act No. 437, H. 937 of the Regular Session of 1951 (Acts, Regular Session 1951, p. 789) and all acts amendatory thereof, and other conflicting laws.

Also:

S. 683. To amend further Act No. 70, H. 346, Regular Session 1943 (Local Acts 1943, p. 34), an act placing the judge of probate of Morgan County on a salary basis and providing for clerical assistance, in relation to the compensation of the judge and his clerical assistants.

Also:

S. 702. To extend the boundary lines of the City of Hartselle, in Morgan County, Alabama, and to include within the boundaries of said municipality certain additional territory:

Also:

S. 724. To make a conditional appropriation from the state treasury for the construction, equipment and furnishing of a substation in Dallas County for the Department of Public Safety.

Also:

S. 725. To make an appropriation to the University of Alabama Medical Center for the planning and initiation of the School of Community and Allied Health Resources.

Also:

S. 734. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; pertaining to the board of revenue, board of county commissioners, or other like governing body and to the county engineer of said counties.

Also:

S. 735. Relating to counties having a population of not less than 33,000 nor more than 35,000, according to the most recent federal decennial census; providing for a temporary chairman of the board of revenue, board of county commissioners, or other like governing body of said counties should the elected chairman become ill or otherwise incapacitated.

Also:

S. 736. Relating to Escambia County; providing salaries and expense allowances for the Chairman and associate members of the Board of County Commissioners; providing for the appointment and salary of the Chief Clerk; amending Sections 2, 4 and 6 of Act #411, H. 742, Regular Session 1963; and repealing Act No. 724, H. 1240, Regular Session 1965.

Also:

S. 737. Relating to Escambia County; providing salaries for the sheriff's deputies and fixing number of deputies.

Also:

S. 738. To alter and rearrange the boundary lines of the City of Brewton, Alabama so as to include within the corporate limits of said city all territory now within such corporate limits and also certain other territory in Escambia County, Alabama contiguous to said City.

Also:

S. 744. Relating to counties having populations of not less than 22,500 nor more than 24,550; to provide for the qualifications of the superintendent of education in any such county.

Also:

S. 746. To provide for expense allowances of members of Boards of Education of all counties having a population of not less than 57,000 nor more than 61,000 according to the most recent federal decennial census, with retroactive effect.

Also:

S. 751. To establish the Alabama Development Office; to provide for the efficient coordination of and cooperation in the programs of the various governmental agencies and private groups and institutions engaged within this state in promoting the human, economic and physical resources of the state or in the several regions or areas thereof; to provide for the appointment of the Director of Development and the employees of the Alabama Development Office; to define the powers and duties of the Alabama Development Office; to transfer to the Alabama Development Office all the functions, powers, authority and duties and all the books, records, supplies, equipment and personnel heretofore had, exercised, used or employed by the State Planning and Industrial Development Board; to repeal all laws in conflict with this Act.

Also:

S. 757. To amend Section 12 of Act No. 211, S. 107, Regular Session 1945 (Acts 1945, p. 330 at p. 334), an Act relating to the construction, maintenance and operation of public hospitals, health centers and related facilities, so as to provide for the leasing of such public hospitals, health centers and related facilities.

Also:

S. 764. Relating to counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census; to provide for the appointment and compensation of a bailiff in the county court in such counties; to repeal conflicting laws.

Also:

S. 766. To authorize, provide for the licensing of, and to regulate the operation of, and hunting on privately owned hunting preserves, stocked by artificially propagated upland birds in all counties having populations of not less than 36,600 nor more than 37,600 according to the 1960 or any subsequent federal decennial census; to prescribe the fees for such licenses, provide for their collection and distribution; and to prescribe penalties for violation of this Act.

Also:

S. 777. To provide for the relief of Mrs. Helen D. Denton, of Union Springs, by any county having a population of not less than 24,600 nor more than 25,300, according to the most recent federal decennial census.

Also:

S. 781. To provide for and regulate the employment and the compensation out of the county treasury of a deputy clerk and other assistants to the clerk of the Circuit Court of Morgan County and of the Morgan County Court of Morgan County; and to repeal conflicting laws.

Also:

S. 782. To amend further Section 3 of Act No. 361, H. 878, Regular Session 1939 (Local Acts 1939, p. 248), an Act fixing the compensation or salary to be paid the tax assessor of Morgan County and providing clerical assistance for his office, relative to the compensation of the clerical assistants.

Also:

S. 783. To provide for and regulate the employment and the compensation out of the county treasury of a deputy register and other assistants to the register of the circuit court of Morgan County and the Morgan County Court of Morgan County; and to repeal conflicting laws.

Also:

S. 784. To amend further Act No. 520, H. 1154, Regular Session 1965, an Act creating a jury commission for Morgan County (Acts 1965, v. 1, p. 762); to amend such Act in relation to the appointment and compensation of the clerk of the jury commission.

Also:

S. 785. To amend further Section 3 of Act No. 464, H. 879, Regular Session 1939 (Local Acts 1939, p. 278), an act fixing the compensation or salary to be paid the tax collector of Morgan County and providing him clerical assistance, relative to the compensation of the clerical assistants.

Also:

S. 786. To authorize the judge of probate of Morgan County to designate a clerk or other assistant in his office as deputy chief clerk; to require such deputy chief clerk to take an oath of office and to be bonded; to provide for the filing of his bond and oath of office and for the payment of the cost thereof out of county funds; and to prescribe the powers, duties and authority of such deputy chief clerk.

Also:

S. 787. To regulate the compensation of members of the county board of registrars in all counties having populations of not less than 57,000 nor more than 61,500, according to the most recent federal decennial census; providing for payment of additional compensation from the county treasury; to repeal conflicting laws.

Also:

S. 788. Relating to counties having populations of not less than 57,000 nor more than 61,500, according to the most recent federal decennial census; to provide an expense allowance for each of the probation officers of the county court; to repeal conflicting laws.

Also:

S. 789. Relating to counties having populations of not less than 57,000 nor more than 61,500, according to the most recent federal decennial census; to provide an expense allowance for the court reporter of the county court; to repeal conflicting laws.

Also:

S. 790. Relating to counties having populations of not less than 57,000 nor more than 61,500, according to the most recent federal decennial census; to provide an expense allowance for the judge of the county court; to repeal conflicting laws.

Also:

S. 798. To regulate further the method of summoning jurors in Marshall County; providing for summoning jurors either by registered or certified mail or personal service by the sheriff of the county.

Also:

S. 800. Relating to the office of the sheriff of Marshall County; fixing the compensation of the sheriff and his deputies and other employees and providing for the manner of their payment; authorizing the appointment of additional deputies; and repealing conflicting laws, specifically Act No. 446, H. 373, Regular Session 1967 (Acts 1967, p. 1119).

Also:

S. 801. To provide that witnesses may be subpoenaed by registered or certified mail in Marshall County under certain conditions.

Also:

S. 808. To make further provisions respecting distribution to municipalities in Madison County, under Act No. 708 adopted at the 1967 Regular Session of the Legislature of Alabama, of that portion allocated to municipalities in Madison County under the said Act No. 708 of the proceeds of the excise tax, known as the state gasoline tax, levied on gasoline and other motor fuels by Section 647 of Title 51 of the Code of Alabama of 1940 and by Act No. 674, 1961 Regular Session of the Legislature; and to that end, (a) to amend Section 7 of the said Act No. 708, and (b) to provide for distribution and use of the moneys heretofore allocated to municipalities in Madison County under Section 3 of the said Act No. 708 that have not yet been distributed to the said municipalities.

Also:

S. 813. To propose an amendment to the Constitution of Alabama relating to Morgan County and the City of Hartselle and the City of

Decatur, authorizing each of them separately or any two or more of them jointly, to purchase, construct, lease and otherwise acquire industrial, commercial and agricultural propects or sites, to lease, sell, exchange and otherwise convey all or any part of any such projects or sites; and, after an approving bond election, to issue its interest-bearing general obligation bonds therefor; to exempt bonds issued to finance the acquisition of industrial sites from the requirement of an election; to specify the details respecting such bond election; to limit the amount of bonds that said county and said cities may have outstanding under the authority of said amendment; to require, as a condition precedent to the issuance of any such bonds, a lease or other similar agreement providing for the payment to the issuer of such bonds of rentals sufficient to pay the debt service on such bonds; to require the pledge of such rentals for such bonds and to authorize other security for such bonds; to authorize the said county or said cities, as the case may be, if such action is necessary to prevent or cure a default on bonds issued by said county or cities, to levy ad valorem taxes, without limit as to rate or amount and in addition to all other taxes then authorized, on the assessed value of all taxable property therein; to provide that in carrying out the purpose of said amendment neither said county or said cities shall be subject to the provisions of Section 93 of the Constitution of Alabama; and to provide that said amendment shall be self-executing but that the legislature shall have the power to enact supplemental general, special or local legislation notwithstanding any contrary provisions of Section 104 of the Constitution of Alabama.

Also:

S. 814. To permit banks now or hereafter situated in counties having a population according to the most recent federal decennial census of not less than 49,500 nor more than 50,500 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such county in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of a general banking and trust business, by and with the written consent of the state superintendent of banks.

Also:

S. 820. Relating to counties having a population of not less than 16,150 and not more than 17,250 according to the last federal decennial census and authorizing the Board of Revenue or other like governing body of such county to appropriate county funds to establish a contingent fund and providing for the use of such funds.

Also:

S. 879. To apply only in counties having populations of not less than 18,000 nor more than 19,000 according to the most recent federal decennial census, authorizing such counties to appropriate certain funds for public buildings and furnishings.

Also:

S. J. R. 64. Recommending that the University of South Alabama begin planning a medical school and the University of Alabama begin planning a two year medical school in Tuscaloosa.

Also:

S. J. R. 87. Supporting the Lurleen B. Wallace Cancer Hospital Fund, Inc.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MOTION TO RECESS LOST

The motion of Mr. Robertson that the House recess until eight o'clock P. M. was lost.

Yeas 25; Nays 46.

Yeas:

Mr. Speaker	Graham	McCorquodale	Slate
Bank	Haygood	Meade	Stubbs
Beck	Hobbie	Meeks	Tuck
Brown	Kilgore	Owen (Baldwin)	Watkins
Cameron	Lyons	Perloff	Weeks
Dobbs	Manley	Robertson	Wood
Doss			—25

Nays:

Messrs.:	Crawford	Harper	Money
Adwell	Downing	Harris	Neville
Agee	Drake	Headley	Owens (W)
Bassett	Edington	Higginbotham	Pennington
Brannan	Ellis	Holladay	Smith
Brassell	Fine	House	Snell
Burgreen	Foshee	Jackson (F)	Springer
Cherner	Gafford	Laxson	Stembridge
Collier	Garrett	Lemley	Turnham
Collins (C)	Gloor	Malone	Williams
Collins (W)	Grayson	Melton	Yeilding
Cook (Jefferson)	Hardin	Merrill	—46

Having been passed over temporarily, the bill, S. 822, was called up by the Speaker.

And the bill:

S. 822. Relating to certain payments from the county treasuries of all counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census; fixing the amount of compensation and expense allowances that may be paid out of the treasury of any such county to certain county officers and their assistants and the amount of supplementary compensation and expense allowances that may be paid therefrom to certain officers of the circuit courts of the circuit in which such county lies.

Was brought up.

Messrs. Bolton and Smith offered the following substitute to the bill, S. 822:

A BILL
TO BE ENTITLED
AN ACT

Relating to certain payments from the county treasuries of all counties having populations of not less than 65,000 nor more than 95,000,

according to the most recent federal decennial census; fixing the amount of compensation and expense allowances that may be paid out of the treasury of any such county to certain county officers and their assistants and the amount of supplementary compensation and expense allowances that may be paid therefrom to certain officers of the circuit courts of the circuit in which such county lies.

Be It Enacted by the Legislature of Alabama:

Section 1. The following officers of any county having a population of not less than 65,000 nor more than 95,000 according to the most recent federal decennial census shall be entitled to compensation, payable out of the county treasury as follows:

(a) For the probate judge, a salary of $15,000 per annum;

(b) For each member of the county governing body, a salary of $6,000 per annum; (The governing body of any county to which this Act applies must hold at least two regular meetings each month at times and places which have, prior to such meetings, been publicly announced.)

(c) For the sheriff, a salary of $12,000 per annum;

(d) For the circuit clerk, a salary of $9,500 per annum, until January 1, 1974; and thereafter a salary of $10,500 per annum; (Provided, however, if the circuit clerk also serves as register of the circuit court, then he shall receive a total compensation of $12,000 per annum for performing the duties of both the clerk and register.)

(e) For the register, a salary of $8,500 per annum, until January 1, 1974, and thereafter a salary of $9,500;

(f) For each judge of the county court, a salary of $8,500 per annum;

(g) For the tax collector, a salary of $8,000 per annum;

(h) For the tax assessor, a salary of $8,000 per annum;

(i) For the coroner, a salary of $3,000 per annum;

(j) For each full time deputy sheriff a minimum salary of $450 per month; for two chief deputies, a minimum salary of $525 per month;

(k) For members of the board of equalization and the board of registrars $20 per day for each meeting day authorized by law on which the member is in actual attendance.

(l) For members of the jury commission, a salary of $125 per month.

(m) For the clerk of the county court that is located at a place other than the county seat a minimum annual salary of $6,000 and for the assistant clerk of such court a minimum annual salary of $4,800.

Section 2. A. The salaries of the county officers as provided in Section 1 of this Act shall be the entire compensation received by any such officers for his services. No such officer shall receive an expense allowance after the salary hereinabove prescribed takes effect, except that any such officer may be reimbursed for such actual expenses as are otherwise provided for by law and his actual and reasonable expenses for travel within such county may be paid by the county governing body. Reimbursement for actual, reasonable and necessary expenses incurred for travel in line of duty outside of the county may be made by authorization of the county governing body; however, such authorization must be reflected on the minutes of the meeting of said body before the date of such travel; provided, however, prior approval shall not be required for out-of-county travel by the sheriff or his deputies in mat-

ters concerning the investigation of cases or the transportation of persons in their custody.

B. The governing body of any such county shall provide the board of equalization, the jury commission and the board of registrars of such county, each, with an allowance for clerical assistance of an amount not to exceed $2,400 per annum, as requested by such board or commission. The subsection shall not be construed as a limitation on any present authority of such governing body to provide clerical assistance for any such board or commission.

Section 3. A. The following officers of the circuit court of any county to which this Act applies shall be entitled to receive from the county treasury of such county the following supplementary salaries:

For each circuit judge, a supplement to the salary paid by the State of an amount equal to 40% of such payment by the State of Alabama, per annum;

For the district attorney of such circuit, a supplement to the salary paid by the State of an amount equal to 40% of such payment by the State of Alabama, per annum;

For one assistant district attorney, a supplement to the salary paid by the State of not more than $1,200 per annum, the exact amount to be fixed by the district attorney.

The above supplemental salaries, when they become effective, shall be the entire compensation, upon the effective date of this Act, payable to such officers of the circuit court from the county treasury of any county to which this Act applies, except that the county governing body shall provide for the payment to such officers actual expenses of travel within such county. Reimbursement for actual, reasonable and necessary expenses incurred for travel in line of duty outside of the county may be made by authorization of the county governing body; however, such authorization must be reflected on the minutes of the meeting of said body before the date of such travel.

B. Each bailiff, appointed by a circuit judge of the circuit in which lies any county to which this Act applies shall be entitled to receive out of the treasury of such county a salary of not less than $4,800 nor more than $6,000 per annum, the exact amount thereof to be fixed by the judge making the appointment.

C. The clerical assistant to the district attorney of the circuit in which any county to which this Act applies lies shall be entitled to receive from the county treasury a salary of not less than $4,800 nor more than $6,000, the exact amount thereof to be fixed by the district attorney.

D. The official court reporter or court reporters of the circuit in which any county to which this Act applies lies shall be entitled to receive from the county treasury a salary of $4,400 per annum.

Section 4. All local, special or general laws or parts of laws which conflict with this Act are hereby repealed upon the effective date of this Act. The provisions of Act No. 405, Regular Session 1961 (Acts, 1961, p. 419), Act No. 370, Regular Session 1965 (Acts, 1965, p. 504), Act No. 646, Regular Session 1967 (Acts, 1967, p. 1460), Act No. 251, Regular Session 1963 (Acts, 1963, p. 661), Act No. 362, Special Session 1966 (Acts, 1966, p. 503), Act No. 923, Regular Session 1961 (Acts, 1961, p. 1483), Act No. 924, Regular Session 1961 (Acts 1961, p. 1483), Act No. 371, Regular Session 1965 (Acts, 1965, p. 505), Act No. 30, First Special Session of 1964 (Acts 1964, p. 53), and Act No. 31, First Special Session of 1964 (Acts 1964, p. 54), all of which are in conflict herewith are superseded.

Section 5. Except as otherwise stated herein, the compensation under this Act shall become effective as to each of the above mentioned officers upon the expiration of the term of office of the incumbents of the several offices and in the case of members of the county governing body such Act shall become effective as to all such members upon the expiration of term of office of the member or members thereof whose term first expires. As to the board of registrars, board of equalization, jury commission, court reporter or reporters, assistant district attorney, bailiffs, clerical assistant to district attorney, deputies and chief deputies in sheriff's department, clerk and assistant clerk of the county court and provision as to payment for clerical assistant to the board of equalization, board of registrars and jury commission, this Act shall become effective October 1, 1969.

Section 6. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

And the substitute was adopted.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Owen (Baldwin)
Adwell	Edington	Kilgore	Paulk
Bassett	Ellis	Laxson	Perloff
Beck	Fine	Lemley	Pruitt
Brannan	Foshee	Lybrand	Slate
Brassell	Gafford	Lyons	Smith
Burgreen	Garrett	Manley	Snell
Cameron	Gloor	Mays	Springer
Cherner	Graham	McCorquodale	Starnes
Collier	Grainger	McDonald	Stembridge
Collins (C)	Grayson	McLain	Stubbs
Collins (W)	Hardin	Meade	Tuck
Cook (Jefferson)	Harper	Meeks	Turnham
Crawford	Harris	Melton	Waggoner
Culver	Haygood	Merrill	Williams
Dill	Higginbotham	Money	Wood
Dobbs	Hobbie	Nettles	Yeilding
Doss	Holladay	Neville	Young
Downing	House		

—74

And the bill, S. 822, as thus amended, was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Crawford	Graham	Lemley
Adwell	Culver	Grainger	Lybrand
Bassett	Dill	Grayson	Lyons
Beck	Dobbs	Hardin	Manley
Brannan	Doss	Harper	Marr
Brassell	Downing	Harris	Mathews
Burgess	Drake	Haygood	Mays
Burgreen	Edington	Higginbotham	McCorquodale
Cameron	Ellis	Hobbie	McDonald
Cherner	Fine	Holladay	McLain
Collier	Foshee	House	Meade
Collins (C)	Gafford	Jackson (F)	Meeks
Collins (W)	Garrett	Kilgore	Melton
Cook (Jefferson)	Gloor	Laxson	Merrill

Money	Perloff	Starnes	Waggoner
Nettles	Pruitt	Stembridge	Williams
Neville	Slate	Stubbs	Wood
Owen (Baldwin)	Smith	Tuck	Yeilding
Paulk	Springer	Turnham	Young
Pearson			—77

MOTION TO RECESS LOST

The motion of Mr. Robertson that the House recess for one hour was lost.

Yeas 24; Nays 58.

Yeas:

Mr. Speaker	Dobbs	McDonald	Robertson
Bank	Graham	McElhaney	Slate
Beck	Hain	Meade	Starnes
Brown	Hobbie	Owen (Baldwin)	Watkins
Burgess	Lyons	Paulk	Weeks
Cameron	Malone	Perloff	Wood
			—24

Nays:

Messrs.:	Fine	Jackson (F)	Owens (W)
Bassett	Foshee	Kilgore	Pearson
Brassell	Gafford	Laxson	Pennington
Burgreen	Garrett	Lemley	Smith
Cherner	Gloor	Lybrand	Snell
Collier	Grainger	Manley	Springer
Collins (C)	Grayson	Mays	Stembridge
Collins (W)	Hardin	McCorquodale	Stubbs
Cook (Jefferson)	Harper	McLain	Tuck
Crawford	Harris	Meeks	Turnham
Culver	Haygood	Melton	Waggoner
Doss	Headley	Merrill	Williams
Downing	Higginbotham	Money	Yeilding
Drake	Holladay	Nettles	Young
Edington	House	Neville	—58

RESOLUTIONS

The following resolution was introduced:

By Mr. Young:

H. J. R. 164. WHEREAS Mrs. Eloise Stuart who has most efficiently and effectively served in various official capacities with the Legislative Reference Service for over twenty-five years, and most recently as executive administrator, has been named Acting Director of that organization; and

WHEREAS Mrs. Stuart has not only dedicated her uncommon energy and ability to her work with outstanding devotion, but she has always been most gracious in her dealings with each member of this Legislature. Her friendly personal greetings to the members of this body have won for her much warm affection and her crisp efficiency has earned for her the high respect and regard which she holds; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we assure Mrs. Stuart that we are deeply appreciative of her fine services and are particularly grateful for her extraordinary performances under the most difficult of cir-

cumstances during the current and recent special session of the Legislature. We commend her upon her elevation to the high post to which she is an adornment.

On motion of Mr. Young, the rules were suspended and H. J. R. 164 was adopted.

REPORT OF THE STANDING COMMITTEE ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

Also:

H. 1444. To amend Section 1 of Act No. 34 (H. 45) of the First Extraordinary Session of 1969 of the Legislature of Alabama, approved May 14, 1969, entitled "An Act authorizing the county governing body of each of the several counties to levy, assess and collect franchise, excise and privilege license taxes in order to raise funds to be used for the public schools in the county," so as to prescribe certain limitations on the levying of such taxes.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTION

The following resolution was introduced:

By Mr. Edington:

H. J. R. 165. WHEREAS, the USS MOBILE (LKA 115) was launched on the 19th day of October, 1968, and will be commissioned in September of 1969 at Newport News, Virginia; and

WHEREAS, the USS MOBILE is named for the oldest and second largest city in the State of Alabama; and

WHEREAS, the people of Alabama wish to express their appreciation to the U.S. Navy Department for so honoring this State and the City of Mobile:

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses Thereof Concurring, That the U. S. Navy Department is hereby commended for the above mentioned honor given the City of Mobile and the State of Alabama; that the prospective Commanding Officer, Captain Samuel Lorenz, Jr., U. S. Navy, his officers and the men on board MOBILE shall experience safe voyages and the MOBILE shall forever be protected from the perils of the sea.

On motion of Mr. Edington, the rules were suspended and H. J. R. 164 was adopted.

S. 70 RESUMED

Mr. Perloff moved that the bill, S. 70, be carried over to the thirty-sixth legislative day.

On motion of Mr. Collins (W), the motion of Mr. Perloff to carry over was tabled.

Yeas 69; Nays 17.

Yeas:

Messrs.:	Doss	Lybrand	Paulk
Adwell	Drake	Lyons	Pearson
Agee	Edington	Malone	Pennington
Bank	Foshee	Manley	Pruitt
Bassett	Gafford	Marr	Smith
Beck	Garrett	Mathews	Snell
Berryman (W)	Gloor	Mays	Springer
Blanton	Grainger	McCorquodale	Steagall
Brannan	Hardin	McElhaney	Stembridge
Brassell	Harper	McLain	Stubbs
Cherner	Harris	Meeks	Tuck
Collier	Haygood	Melton	Turnham
Collins (C)	Headley	Merrill	Waggoner
Collins (W)	Higginbotham	Nettles	Williams
Cook (Jefferson)	Holladay	Neville	Wright
Crawford	House	Owen (Baldwin)	Yeilding
Culver	Jackson (F)	Owens (W)	Young
Dill	Laxson		—69

Nays:

Messrs.:	Cameron	Hobbie	Perloff
Bowers	Downing	Jackson (T)	Robertson
Brown	Fine	Lemley	Starnes
Burgess	Graham	McDonald	Wood
Burgreen	Grayson		—17

Mr. Shumate offered Amendment #3 to the bill, S. 70, said amendment being as follows:

At the end of Section 5 (b) add the following:

"The state board of health shall not approve the permit required herein for any law enforcement officer other than a member of the state highway patrol, a sheriff or his deputies, or a city policeman.

And the amendment was adopted.

Yeas 88; Nays 3.

Yeas:

Mr. Speaker	Burgreen	Downing	Harper
Adwell	Cameron	Drake	Harris
Agee	Cherner	Ellis	Haygood
Bank	Collier	Fine	Headley
Bassett	Collins (C)	Foshee	Higginbotham
Beck	Collins (W)	Gafford	Hill
Berryman (W)	Cook (Jefferson)	Garrett	Hobbie
Blanton	Crawford	Graham	Holladay
Bowers	Culver	Grainger	House
Brannan	Dill	Grayson	Jackson (F)
Brassell	Dobbs	Hain	Laxson
Burgess	Doss	Hardin	Lemley

Lybrand	Meeks	Perloff	Stembridge
Lyons	Melton	Pruitt	Stubbs
Manley	Merrill	Robertson	Tuck
Marr	Nettles	Shumate	Turnham
Mathews	Neville	Slate	Waggoner
Mays	Owen (Baldwin)	Smith	Williams
McDonald	Owens (W)	Snell	Wood
McElhaney	Paulk	Springer	Wright
McLain	Pearson	Starnes	Yeilding
Meade	Pennington	Steagall	Young

—88

Nays: Messrs. Brown, Edington and Gloor —3

Mr. Jackson (T) offered the following amendment to the bill, S. 70:

Add the following Section 8:

Any person charged under this Section shall have the right to have an attorney present at the time he submits to or declines to take any of the tests hereunder.

On motion of Mr. Collins (W), the amendment offered by Mr. Jackson was tabled.

Yeas 59; Nays 21.

Yeas:

Messrs.:	Dill	Hill	Owen (Baldwin)
Agee	Drake	Jackson (F)	Owens (W)
Bank	Edington	Laxson	Paulk
Bassett	Ellis	Lybrand	Pearson
Beck	Foshee	Lyons	Smith
Berryman (W)	Gafford	Malone	Snell
Blanton	Garrett	Manley	Springer
Brannan	Gloor	Mays	Stembridge
Brassell	Grainger	McCorquodale	Stubbs
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	Meade	Turnham
Collins (C)	Harris	Merrill	Waggoner
Cook (Jefferson)	Haygood	Money	Wright
Crawford	Headley	Nettles	Yeilding
Culver	Higginbotham	Neville	Young

—59

Nays:

Mr. Speaker	Dobbs	Holladay	Perloff
Adwell	Downing	Jackson (T)	Pruitt
Bowers	Graham	Lemley	Robertson
Brown	Grayson	Marr	Steagall
Burgess	Hobbie	Melton	Wood
Cameron			

—21

And the bill, S. 70, as thus amended, was read a third time at length and passed.

Yeas 89; Nays 7.

Yeas:

Mr. Speaker	Blanton	Cameron	Cook (Jefferson)
Agee	Brannan	Cherner	Crawford
Bank	Brassell	Collier	Culver
Bassett	Burgess	Collins (C)	Dill
Beck	Burgreen	Collins (W)	Dobbs

Doss	Hill	McLain	Slate	
Drake	Hobbie	Meade	Smith	
Edington	Holladay	Meeks	Snell	
Ellis	House	Melton	Springer	
Fine	Jackson (F)	Merrill	Starnes	
Foshee	Kilgore	Money	Steagall	
Gafford	Laxson	Nettles	Stembridge	
Garrett	Lybrand	Neville	Stubbs	
Gloor	Lyons	Owen (Baldwin)	Tuck	
Grainger	Malone	Owens (W)	Turnham	
Grayson	Manley	Owens (W.E.)	Waggoner	
Hain	Marr	Paulk	Watkins	
Hardin	Mathews	Pearson	Williams	
Harper	Mays	Pennington	Wood	
Harris	McCorquodale	Pruitt	Wright	
Haygood	McDonald	Robertson	Yeilding	
Headley	McElhaney	Sessions	Young	
Higginbotham				—89

Nays:

Messrs.:	Brown	Graham	Perloff	
Bowers	Downing	Jackson (T)	Shumate	
				—7

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1530. Relating to cities having a population of not less than 100,000 nor more than 200,000 according to the last federal decennial census; providing for the planning, design, location, financing, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, and fostering of off-street automobile parking facilities in such cities.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cameron, the House concurred in and adopted the Senate amendment to the bill, H. 1530, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

Relating to cities having a population of not less than 100,000 nor more than 200,000 according to the last or any succeeding federal census; providing for the planning, design, location, financing by the issuance of revenue bonds, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, leasing to others, and fostering by such cities of off-street automobile parking facilities in such cities; to exempt from taxation such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; and to provide that such bonds shall be legal investments for banks and insurance companies organized under laws of this State.

Be It Enacted by the Legislature of Alabama:

Section 1. It is hereby determined and declared that in cities having a population of not less than 100,000 nor more than 200,000, according to the last or any succeeding federal census, that the free circulation of traffic of all kinds through the streets of said cities within this state is necessary to the health, safety and general welfare of the public; that in recent years the greatly increased use by the public of motor vehicles of all kinds has caused serious traffic congestion in streets of said municipalities; that the parking of motor vehicles in the streets has contributed to this congestion; that such congestion prevents the free flow of traffic in, through and from such municipalities, impedes the rapid and effective fighting of fires and disposition of police force, threatens irreparable loss in the values of urban property within said cities which can no longer be readily reached by vehicular traffic and endangers the health, safety and welfare of the general public; that this traffic congestion is not capable of being adequately abated except by provisions of sufficient off-street parking facilities; that adequate off-street parking facilities have not been provided and parking spaces now existing must be forthwith supplemented by off-street parking facilities provided by public undertaking; and that the enactment of the provisions of this act is hereby declared to be a public necessity. This act shall apply only to such cities.

Section 2. Each city within the State of Alabama having a population of not less than 100,000 nor more than 200,000, according to the last or any succeeding federal census, is hereby authorized and empowered to acquire, receive, take and hold, whether by purchase, gift, lease, devise, or otherwise, property of every description, whether real, personal or mixed, and to manage said property and to develop any undeveloped property owned, leased or controlled by such city for the purposes hereinafter set out; to execute such contracts and other instruments and to take such other action as may be necessary and convenient to carry out the provisions of this act or to exercise the power granted hereunder; to plan, establish, acquire, construct, enlarge, improve, maintain, and equip parking facilities; to lease or let such facilities or any one or more of them to such tenant or tenants for such term, or terms, at such compensation or rental as the council or other governing body may from time to time direct; to issue interest bearing revenue bonds payable from the limited sources hereinafter referred to; to pledge for payment of such bonds any revenues or funds from which such bonds are made payable; to make and enter into contracts, leases and agreements incidental to or necessary for the accomplishment of any purpose or purposes authorized by this act; to make and enforce rules and regulations governing the use of any parking facilities owned or controlled by said city; to cooperate with the State, any county, city, town, public corporation, agency, department or political subdivision of the State, and to make such contracts with them or any of them as the council or other governing body may deem advisable to accomplish the purpose of this act; to receive and accept grants for or in aid of the construction, extension, improvement, maintenance or operation of any parking facility from the United States of America or any agency thereof, from the State, any department or agency thereof and any political subdivision thereof and to receive and accept money, property, labor or other things of value from any source whatsoever; and to do any and all things necessary or convenient for the exercise of any power herein granted.

Section 3. Each such city is hereby specifically authorized to and shall lease any said parking facilities constructed under the provisions of this act; provided, however, that prior to leasing any such parking facility the council or other governing body must determine and find the following: the amount necessary in each year to pay the principal of and the interest on the bonds proposed to be issued to finance such project; the amount necessary to be paid each year into any reserve

fund which the council or other governing body may deem it advisable to establish in connection with the retirement of said bonds and the maintenance of said parking facility or facilities; and, unless the terms under which the project is to be leased provide that the leesee shall maintain the project and carry all proper insurance (including liability insurance) with respect thereto, the estimated cost of maintaining the parking facility in good repair and keeping it properly insured. The lease agreement shall provide for the payment of rentals based on such findings and determinations as are sufficient (a) to pay the principal of and interest on the bonds issued to finance the parking facility; (b) to build up and maintain any reserves deemed by the council or other governing body to be advisable in connection therewith; (c) unless the agreement of lease obligates the lessee to pay for the maintenance and proper insurance (including liability insurance) of the parking facility, to pay the cost of maintaining the parking facility in good repair and keeping it properly insured. The council or other governing body of any such city shall not be authorized to operate parking facilities constructed under the provisions of this act unless there is a default in payment of rent which has remained unpaid after ten days written notice of such default. In such an event the lease may be terminated and the city may operate such facility until such time as another suitable tenant can be obtained, and that said city shall diligently seek another suitable tenant, and shall not operate the facility for a longer period than the 12th legislative day of the next ensuing regular session of the legislature, after default. After the bonds have been retired and the indebtedness against the parking facility has been paid in full, the council or other governing body of any such city is hereby authorized and shall sell and convey its interest in said facility upon such terms or conditions as may be adopted by such council or other governing body.

Section 4. The principal of and interest on any bonds issued under this act shall be secured by a pledge of and shall be payable solely from revenues and receipts derived from the facilities constructed, in whole or in part, with the proceeds from the sale of said bonds, and may be secured by a mortgage covering all or part of any project or projects from which the revenues so pledged may be derived, and may be secured by a pledge of the lease of such project. The proceedings under which such bonds are authorized to be issued or any such mortgage may contain any agreements and provisions customarily contained in instruments securing bonds, including, without limiting the genarality of the foregoing, provisions respecting the fixing and collection of rents for any project covered by such proceedings or mortgage, the terms to be included in the lease of such project, the maintenance and insurance of such project, the creation and maintenance of special funds from the revenues from such project, and the rights and remedies available in event of default to the bond holders or to the trustee under a mortgage, all as the governing body shall deem advisable and as shall not be in conflict with the provisions of this act; provided, however, that in making any such agreement or provisions a city shall not have the power to obligate itself except with respect to the project and the application of the revenues and receipts therefrom and shall not have the power to incur a pecuniary liability or a charge upon its general credit or against its taxing powers. The proceedings authorizing any bonds hereunder and any mortgage securing such bonds may provide that in the event of default in payment of the principal of or the interest on such bonds or in the performance of any agreement contained in such proceedings or mortgage, such payment and performance may be enforced by mandamus or by the appointment of a receiver in equity with power to charge and collect rents and to apply the revenues and receipts from the project in accordance with such proceedings or the provisions of such mortgage. Any such mortgage may provide also that in the event of default in such payment or the violation of any agreement contained in the mortgage, the mortgage may be foreclosed either by sale at

public outcry or by proceedings in equity, and may provide that any trustee under such mortgage or the holder of any of the bonds secured thereby may become the purchaser at any foreclosure sale if the highest bidder therefor. No breach of any such agreement shall impose any pecuniary liability upon a municipality or any charge under its general credit or against its taxing powers.

Section 5. Any bonds issued hereunder and at any time outstanding may at any time and from time to time be refunded by any such city by the issuance of its refunding bonds in such amount as the governing body may deem necessary but not exceeding any amount sufficient to refund the principal of the bonds so to be refunded, together with any unpaid interest thereon and any premiums and commissions necessary to be paid in connection therewith. Any such refunding may be effected whether the bonds to be refunded shall have then matured or shall thereafter mature, either by sale of the refunding bonds and the application of the proceeds thereof for the payment of the bonds to be refunded thereby, or by exchange of the refunding bonds for the bonds to be refunded thereby; provided, that the holders of any bonds so to be refunded shall not be compelled without their consent to surrender their bonds for payment or exchange prior to the date on which they are payable, or if they are called for redemption, prior to the date on which they are by their terms subject to redemption. Any refunding bonds issued under the authority of this act shall be payable solely from the revenues and receipts out of which the bonds to be refunded thereby were payable, and shall be subject to the appropriate provisions of this act.

Section 6. The proceeds from the sale of any bonds issued under authority of this act shall be applied only for the purpose for which the bonds were issued; provided, however, that any accrued interest and premium received in any such sale shall be applied to the payment of the principal of or the interest on the bonds sold; and provided, further, that if for any reason any portion of such proceeds shall not be needed for the purpose for which the bonds were issued, then such unneeded portion of said proceeds shall be applied to the payment of the principal of or the interest on said bonds. The cost of acquiring any project shall be deemed to include the following: the actual cost of the construction, including architect's and engineer's fees; the purchase price of any part of a project that may be acquired by purchase; all expenses in connection with the authorization, sale and issuance of the bonds to finance such acquisition; and the interest on such bonds for a reasonable time prior to construction, during construction, and for not exceeding six months after completion of construction.

Section 7. Any such city subject to the provisions of this act may pay out of its general funds or otherwise contribute any part of the costs of acquiring a project, and may use land already owned by the municipality, or in which the municipality has an equity, for construction thereof of a project; and the municipality may accept donations of property to be used as a part of any project and money to be used for defraying any part of the cost of any project, provided, however, that where revenue bonds are issued, or to be issued, such city shall make no contribution of money or property nor obligate itself to make any contribution of money or property which would cause such bonds to be debts within the meaning of Section 225 of the Constitution of the State of Alabama or bonds within the meaning of Section 222 of the Constitution of the State of Alabama; provided, further, that in the exercise of the powers granted in this section such city shall not take any action in violation of Section 94 of the Constitution of Alabama.

Section 8. Bonds issued under the provisions of this act shall be legal investments for banks and insurance companies organized under the laws of this state.

Section 9. The bonds authorized by this act and the income therefrom, all mortgages executed as security therefor, all lease agreements made pursuant to the provisions hereof, and all projects and revenues derived from any lease thereof shall be exempt from all taxation in the State of Alabama.

Section 10. Neither this act nor anything herein contained shall be construed as a restriction or limitation upon any powers which a municipality might otherwise have under any laws of this state, but shall be construed as cumulative; and this act shall not be construed as requiring an election by the voters of a municipality prior to the issuance of bonds hereunder by such municipality unless required by the Constitution of the State of Alabama.

Section 11. If any section, provision, or clause of this act shall be declared invalid or unconstitutional, such declaration shall not affect the part or parts which remain.

Section 12. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Owens (W)
Adwell	Drake	Laxson	Pearson
Agee	Ellis	Lemley	Pennington
Bassett	Foshee	Lybrand	Perloff
Beck	Gafford	Lyons	Pruitt
Berryman (W)	Gloor	Malone	Sessions
Bowers	Graham	Manley	Slate
Brannan	Grainger	Marr	Smith
Brassell	Grayson	Mathews	Snell
Brown	Hain	Mays	Springer
Burgess	Hardin	McCorquodale	Starnes
Burgreen	Harper	McDonald	Stembridge
Cameron	Harris	McElhaney	Stubbs
Cherner	Haygood	McLain	Tuck
Collier	Headley	Meade	Turnham
Collins (C)	Higginbotham	Meeks	Waggoner
Collins (W)	Hill	Melton	Williams
Cook (Jefferson)	Hobbie	Merrill	Wood
Crawford	Holladay	Money	Wright
Culver	House	Nettles	Yeilding
Dill	Jackson (F)	Owen (Baldwin)	Young
Dobbs	Jackson (T)		—86

And said bill, H. 1530, as amended by the Senate amendment:

Relating to cities having a population of not less than 100,000 nor more than 200,000 according to the last or any succeeding federal census; providing for the planning, design, location, financing by the issuance of revenue bonds, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, leasing to others, and fostering by such cities of off-street automobile parking facilities in such cities; to exempt from taxation such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; and to provide that such bonds shall be legal investments for banks and insurance companies organized under laws of this State.

Was again read at length and passed.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Owens (W)
Adwell	Drake	Laxson	Pearson
Agee	Ellis	Lemley	Pennington
Bassett	Foshee	Lybrand	Perloff
Beck	Gafford	Lyons	Pruitt
Berryman (W)	Gloor	Malone	Sessions
Bowers	Graham	Manley	Slate
Brannan	Grainger	Marr	Smith
Brassell	Grayson	Mathews	Snell
Brown	Hain	Mays	Springer
Burgess	Hardin	McCorquodale	Starnes
Burgreen	Harper	McDonald	Stembridge
Cameron	Harris	McElhaney	Stubbs
Cherner	Haygood	McLain	Tuck
Collier	Headley	Meade	Turnham
Collins (C)	Higginbotham	Meeks	Waggoner
Collins (W)	Hill	Melton	Williams
Cook (Jefferson)	Hobbie	Merrill	Wood
Crawford	Holladay	Money	Wright
Culver	House	Nettles	Yeilding
Dill	Jackson (F)	Owen (Baldwin)	Young
Dobbs	Jackson (T)		—86

And the bill:

S. 45 (with amendments). To prohibit the exposing of obscene and harmful materials to persons eighteen years of age and older; to define terms and to prescribe penalties.

Was taken up.

The question was on the adoption of Amendment #1 reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend Section 8 of the substitute to S. B. 45 to read as follows:

"The provisions of this act shall not be applicable to motion pictures that have been approved and rated by the Motion Pictures Association of America."

On motion of Mr. Merrill, Amendment #1 of the Standing Committee on Judiciary was tabled.

Yeas 64; Nays 12.

Yeas:

Mr. Speaker	Cook (Jefferson)	Harris	Mathews
Agee	Culver	Haygood	Mays
Bank	Doss	Higginbotham	McCorquodale
Bassett	Downing	Hill	McDonald
Beck	Drake	Hobbie	McElhaney
Berryman (W)	Edington	Holladay	Meade
Bowers	Fine	House	Meeks
Brannan	Foshee	Kilgore	Melton
Brassell	Grainger	Lybrand	Merrill
Burgess	Grayson	Lyons	Money
Cameron	Hain	Malone	Nettles
Collins (W)	Hardin	Manley	Neville

Owen (Baldwin)	Pennington	Snell	Waggoner
Owens (W)	Pruitt	Springer	Wood
Owens (W.E.)	Slate	Steagall	Wright
Pearson	Smith	Turnham	Young

—64

Nays:

Messrs.:	Dill	Laxson	Stembridge
Blanton	Ellis	Perloff	Tuck
Bolton	Graham	Starnes	Yeilding
Crawford			

—12

The question, then, was on the adoption of Amendment #2 reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend Senate Bill 45 by amending Section 2 by adding subsection (c) which shall be as follows:

"(c) Nothing in this section shall be deemed to apply to mailable matter unless such mailable matter is known by such person to have been judicially found to be obscene or to represent hard-core pornography under this act or under the provisions of any other Alabama statutes."

And the amendment was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Owens (W)
Adwell	Downing	Kilgore	Owens (W.E.)
Agee	Drake	Laxson	Pearson
Bank	Edington	Lybrand	Pennington
Bassett	Ellis	Lyons	Perloff
Beck	Fine	Malone	Sessions
Berryman (W)	Foshee	Manley	Slate
Blanton	Gafford	Marr	Smith
Bolton	Graham	Mathews	Snell
Bowers	Grainger	Mays	Springer
Brannan	Grayson	McCorquodale	Starnes
Brassell	Hain	McDonald	Steagall
Burgess	Hardin	McElhaney	Stembridge
Burgreen	Harper	McLain	Tuck
Cameron	Harris	Meade	Turnham
Cherner	Haygood	Meeks	Waggoner
Collier	Headley	Melton	Watkins
Collins (W)	Higginbotham	Merrill	Williams
Cook (Jefferson)	Hill	Money	Wood
Crawford	Hobbie	Nettles	Wright
Culver	Holladay	Neville	Yeilding
Dill	House	Owen (Baldwin)	Young
Dobbs			

—89

The question, then, was on the adoption of Amendment #3 reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend Senate Bill 45 by adding the following subsection to Section 1, entitled "DEFINITIONS. As Outlined in this Act," to be designated as subsection (i):

"(i) Mailable matter means (a) printed or written matter or material having second-class mailing privileges under the laws of the

United States; or (b) any other printed or written matter or material which has not been determined to be non-mailable under the laws of the United States."

And the amendment was adopted.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Owens (W.E.)
Adwell	Drake	Laxson	Pearson
Agee	Edington	Lybrand	Pennington
Bank	Ellis	Lyons	Perloff
Bassett	Fine	Malone	Pruitt
Beck	Foshee	Manley	Sessions
Berryman (W)	Gafford	Marr	Slate
Blanton	Garrett	Mathews	Smith
Bolton	Graham	Mays	Snell
Bowers	Grainger	McCorquodale	Springer
Brannan	Grayson	McDonald	Starnes
Brassell	Hain	McElhaney	Steagall
Burgess	Hardin	McLain	Stembridge
Burgreen	Harper	Meade	Tuck
Cameron	Harris	Meeks	Turnham
Cherner	Haygood	Melton	Waggoner
Collins (W)	Headley	Merrill	Watkins
Cook (Jefferson)	Higginbotham	Money	Williams
Crawford	Hill	Nettles	Wood
Culver	Hobbie	Neville	Wright
Dill	Holladay	Owen (Baldwin)	Yeilding
Dobbs	House	Owens (W)	Young
Doss	Jackson (F)		—90

And the bill, S. 45, as thus amended, was read a third time at length and passed.

Yeas 87; Nays 5.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Paulk
Adwell	Doss	Kilgore	Pearson
Agee	Downing	Laxson	Pennington
Bank	Drake	Lemley	Pruitt
Bassett	Ellis	Lybrand	Robertson
Beck	Foshee	Lyons	Sessions
Berryman (W)	Gafford	Malone	Shumate
Blanton	Garrett	Manley	Slate
Bolton	Gloor	Marr	Smith
Brannan	Grainger	Mathews	Snell
Brassell	Grayson	Mays	Springer
Brown	Hain	McCorquodale	Starnes
Burgess	Hardin	McDonald	Steagall
Burgreen	Harper	McElhaney	Stembridge
Cameron	Harris	Meade	Tuck
Cherner	Haygood	Meeks	Turnham
Collier	Headley	Melton	Waggoner
Collins (W)	Higginbotham	Merrill	Watkins
Cook (Jefferson)	Hill	Money	Wright
Crawford	Hobbie	Neville	Yeilding
Culver	Holladay	Owen (Baldwin)	Young
Dill	House	Owens (W.E.)	—87

Nays:

Messrs.:	Edington	McLain	Nettles	
Collins (C)	Graham			—5

MOTION TO BRING UP S. 566

On motion of Mr. Marr, the rules were suspended and permission granted to bring up out of order the bill, S. 566.

Yeas 80; Nays 6.

Yeas:

Messrs.:	Dobbs	Jackson (F)	Pearson	
Adwell	Doss	Kilgore	Pennington	
Agee	Downing	Lyons	Perloff	
Bank	Drake	Malone	Pruitt	
Bassett	Edington	Manley	Robertson	
Beck	Ellis	Marr	Sessions	
Berryman (W)	Foshee	Mathews	Slate	
Blanton	Garrett	Mays	Smith	
Bolton	Gloor	McCorquodale	Snell	
Brassell	Graham	McElhaney	Springer	
Brown	Grayson	McLain	Starnes	
Burgess	Hardin	Meade	Steagall	
Burgreen	Harper	Meeks	Tuck	
Cameron	Harris	Melton	Turnham	
Cherner	Haygood	Merrill	Waggoner	
Collier	Headley	Money	Watkins	
Collins (C)	Higginbotham	Nettles	Williams	
Collins (W)	Hill	Neville	Wood	
Cook (Jefferson)	Holladay	Owens (W.E.)	Wright	
Culver	House	Paulk	Yeilding	
Dill				—80

Nays:

Messrs.:	Crawford	Lybrand	Stembridge	
Brannan	Lemley	Owen (Baldwin)		—6

And the bill:

S. 566 (with amendment). To authorize and direct the director of conservation to excute on behalf of the State of Alabama a proper conveyance of certain real property to the Board of Trustees of the University of South Alabama.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

In the title strike out the period at the end thereof and insert in lieu thereof the following: , and certain other real property to the Mobile County Board of School Commissioners; and to provide for the relinquishing of certain rights in a certain part of such property by the Mobile County Board of School Commissioners.

Also, in Section 1, strike out the period at the end of the section and insert in lieu thereof the following: ; and to the Mobile County Board of School Commissioners the following described real property, towit:

Section 16, Township 3 South, Range 2 West, known as Indian Springs — 640 acres

Section 16, Township 4 South, Range 3 West, known as Baker School (Army School) — 640 acres

Section 16, Township 5 South, Range 2 West, known as Halls Mill Creek — 640 acres

Section 16, Township 5 South, Range 3 West, known as Dawes — 640 acres

South half of Section 15, Township 6 South, Range 2 West, known as Warley Farm — 320 acres

Section 16, Township 6 South, Range 2 West, known as Theodore L & N Railroad — 640 acres

South half of Section 19, Township 6 South, Range 2 West, known as Irvington — 320 acres

Northeast quarter of the North half of the Northwest quarter of Section 30, Township 6 South, Range 2 West, known as Irvington — 240 acres

East half of West half and West half of East half of Section 23, Township 6 South, Range 2 West, known as North Laurendine — 320 acres

East half of Northwest quarter of Section 26, Township 6 South, Range 2 West, known as South Laurendine — 80 acres

That portion of Section 16, Township 3 South, Range 1 West owned by School Board consisting of 150 acres, more or less (Chickasaw)

Upon receipt of deeds or other proper conveyances vesting fee simple title to the above described lands in the Mobile County Board of School Commissioners such board shall promptly release and relinquish all rights to the control, direction and management of said Section 16, Township 4 South, Range 2 West which the director of conservation is authorized, hereinabove, to convey to the Board of Trustees of the University of South Alabama.

And the amendment was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Holladay	Paulk
Adwell	Doss	House	Pearson
Agee	Downing	Kilgore	Pennington
Bank	Drake	Laxson	Perloff
Bassett	Edington	Lemley	Pruitt
Beck	Ellis	Lybrand	Robertson
Berryman (W)	Fine	Lyons	Sessions
Blanton	Foshee	Malone	Slate
Bolton	Garrett	Manley	Smith
Brannan	Gloor	Marr	Snell
Brassell	Graham	Mathews	Springer
Brown	Grainger	Mays	Starnes
Burgess	Grayson	McCorquodale	Steagall
Burgreen	Hain	McElhaney	Stembridge
Cameron	Hardin	McLain	Tuck
Cherner	Harper	Meade	Turnham
Collier	Harris	Melton	Waggoner
Collins (C)	Haygood	Merrill	Watkins
Collins (W)	Headley	Money	Williams
Cook (Jefferson)	Higginbotham	Nettles	Wood
Crawford	Hill	Neville	Wright
Culver	Hobbie	Owens (W.E.)	Yeilding
Dill			

—89

And the bill, S. 566, as thus amended, was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Pearson
Adwell	Doss	Jackson (F)	Pennington
Agee	Downing	Kilgore	Perloff
Bank	Drake	Laxson	Pruitt
Bassett	Edington	Lemley	Robertson
Beck	Ellis	Lybrand	Sessions
Berryman (W)	Fine	Lyons	Slate
Blanton	Foshee	Malone	Smith
Bolton	Garrett	Manley	Snell
Brannan	Gloor	Marr	Springer
Brassell	Graham	Mays	Starnes
Brown	Grainger	McCorquodale	Steagall
Burgess	Grayson	McElhaney	Stembridge
Burgreen	Hain	McLain	Tuck
Cameron	Hardin	Meade	Turnham
Cherner	Harper	Meeks	Waggoner
Collier	Harris	Melton	Watkins
Collins (C)	Haygood	Merrill	Williams
Collins (W)	Headley	Money	Wood
Cook (Jefferson)	Higginbotham	Nettles	Wright
Crawford	Hill	Neville	Yeilding
Culver	Hobbie	Owens (W.E.)	Young
Dill	Holladay	Paulk	—91

MOTION TO BRING UP S. 129 LOST

The motion of Mr. Holladay to suspend the rules and bring up out of order the bill, S. 129, was lost.

Yeas 62; Nays 22.

Yeas:

Messrs.:	Dobbs	Lyons	Pearson
Agee	Doss	Malone	Pennington
Bank	Downing	Marr	Perloff
Beck	Drake	Mays	Pruitt
Berryman (W)	Edington	McCorquodale	Robertson
Blanton	Gloor	McDonald	Sessions
Bolton	Graham	McElhaney	Shumate
Brannan	Grainger	McLain	Snell
Brassell	Grayson	Meade	Springer
Brown	Harris	Meeks	Starnes
Burgess	Haygood	Melton	Steagall
Burgreen	Headley	Merrill	Waggoner
Cameron	Higginbotham	Money	Williams
Cherner	Holladay	Nettles	Wright
Collins (W)	Laxson	Owen (Baldwin)	Yeilding
Culver	Lybrand	Owens (W)	—62

Nays:

Mr. Speaker	Ellis	House	Paulk
Bassett	Fine	Kilgore	Smith
Collins (C)	Garrett	Lemley	Stembridge
Cook (Jefferson)	Hain	Manley	Tuck
Crawford	Harper	Neville	Wood
Dill	Hobbie		—22

MOTION TO ADJOURN LOST

The motion of Mr. Manley that the House adjourn until two o'clock P. M. Thursday, September 4, 1969, was lost.

Yeas 29; Nays 59.

Yeas:

Mr. Speaker	Fine	Malone	Shumate
Berryman (W)	Gloor	Manley	Slate
Blanton	Graham	Meade	Stembridge
Brannan	Hain	Merrill	Tuck
Brassell	Haygood	Neville	Watkins
Burgreen	Headley	Paulk	Williams
Crawford	Laxson	Pruitt	Wood
Dill			—29

Nays:

Messrs.:	Downing	Lemley	Pennington
Adwell	Drake	Lybrand	Perloff
Agee	Edington	Lyons	Robertson
Bank	Ellis	Mays	Sessions
Bassett	Foshee	McCorquodale	Smith
Brown	Garrett	McDonald	Snell
Burgess	Grainger	McElhaney	Springer
Cameron	Grayson	McLain	Starnes
Cherner	Hardin	Meeks	Steagall
Collins (C)	Harris	Melton	Turnham
Collins (W)	Higginbotham	Money	Waggoner
Cook (Jefferson)	Hobbie	Nettles	Wright
Culver	Holladay	Owen (Baldwin)	Yeilding
Dobbs	House	Owens (W)	Young
Doss	Jackson (F)	Pearson	—59

And the bill:

S. 637. To limit the period in which an appeal may be taken to the Supreme Court from any action or proceeding to set aside, contest or question the validity of any bonds issued by the State of Alabama, or by any department, commission, board, public corporation, authority, or other agency or instrumentality thereof; to set the time for the filing of the transcript of such appeal in the Supreme Court and of appellant's and appellee's briefs therein, and to establish a procedure for the hearing of such appeals by the Supreme Court.

Was taken up.

Mr. Springer offered the following amendment to the bill, S. 637:

Amend the title of Senate Bill 637 by inserting after the word "bonds" the words "or other securities"; also insert after the word "issued" the words "or proposed to be issued".

Further amend Section 1 of Senate Bill 637 by deleting the word "fifteen" and inserting in lieu thereof the word "thirty".

Further amend Section 3 of Senate Bill 637, first sentence by deleting the word "ten" in the first line and adding the word "fifteen". Also in the same sentence after the word "within" delete the word "five" and add instead the word "ten".

Further amend Section 3, in the last sentence, by deleting the word "five" after the word "exceeding" and add instead the word "ten".

Further amend Section 4 by deleting the first sentence and adding instead the following sentence:

"After the time for filing briefs has expired, the case shall then be submitted for decision upon the record and briefs; provided, however, that if either party request oral argument the court may set the case for oral argument at the earliest practical date without regard to the regular call of the cases from the division in which such case arises, and, if feasible, not later than ten days after the expiration of the last day on which appellee was authorized to file his reply brief."

Further amend Section 4, in the fourth sentence, by striking the word "three" after the word "within" and add instead the word "fifteen".

And the amendment was adopted.

Yeas 75; Nays 2.

Yeas:

Mr. Speaker	Downing	Lemley	Pearson	
Adwell	Drake	Lyons	Pennington	
Agee	Edington	Malone	Perloff	
Bassett	Ellis	Manley	Pruitt	
Beck	Fine	Marr	Sessions	
Berryman (W)	Foshee	Mays	Slate	
Bowers	Gloor	McCorquodale	Smith	
Brannan	Graham	McDonald	Snell	
Brassell	Grainger	McElhaney	Starnes	
Burgess	Grayson	McLain	Steagall	
Burgreen	Hain	Meade	Stembridge	
Cameron	Hardin	Melton	Tuck	
Cherner	Harris	Merrill	Turnham	
Collins (W)	Haygood	Money	Williams	
Cook (Jefferson)	Headley	Nettles	Wood	
Crawford	Hobbie	Neville	Wright	
Culver	Holladay	Owen (Baldwin)	Yeilding	
Dill	House	Owens (W)	Young	
Dobbs	Laxson	Paulk		—75

Nays: Messrs. Brown and Garrett —2

And the bill, S. 637, as thus amended, was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Downing	House	Paulk	
Adwell	Drake	Laxson	Pearson	
Agee	Edington	Lemley	Pennington	
Bassett	Ellis	Lyons	Perloff	
Beck	Fine	Malone	Pruitt	
Berryman (W)	Foshee	Manley	Sessions	
Bolton	Gafford	Marr	Slate	
Bowers	Garrett	Mays	Smith	
Brannan	Gloor	McCorquodale	Snell	
Brassell	Graham	McDonald	Starnes	
Burgess	Grainger	McElhaney	Steagall	
Burgreen	Grayson	Meade	Stembridge	
Cameron	Hain	Melton	Tuck	
Cherner	Hardin	Merrill	Turnham	
Collins (W)	Harper	Money	Williams	
Cook (Jefferson)	Harris	Nettles	Wood	
Crawford	Haygood	Neville	Wright	
Culver	Headley	Owen (Baldwin)	Yeilding	
Dill	Hobbie	Owens (W)	Young	
Dobbs	Holladay			—78

And the bill:

S. 204. Relating to the sale of livestock; making it a misdemeanor for any person to buy or offer to buy livestock on any public street or highway within two thousand five hundred (2,500) feet of a public livestock market and to provide for enforcement.

Was taken up.

MOTION TO ADJOURN LOST

The motion of Mr. Watkins that the House adjourn until two o'clock P. M. Thursday, September 4, 1969, was lost.

Yeas 31; Nays 52.

Yeas:

Mr. Speaker	Crawford	Malone	Slate
Agee	Dill	Manley	Steagall
Berryman (W)	Fine	McCorquodale	Stembridge
Bowers	Gloor	Meade	Tuck
Brannan	Graham	Merrill	Watkins
Brassell	Hain	Neville	Williams
Burgreen	Harper	Paulk	Wood
Cherner	Headley	Perloff	—31

Nays:

Messrs.:	Drake	Laxson	Pearson
Adwell	Edington	Lemley	Pennington
Bank	Ellis	Lyons	Robertson
Bassett	Foshee	Marr	Sessions
Brown	Garrett	Mays	Smith
Burgess	Grainger	McDonald	Snell
Cameron	Grayson	McElhaney	Springer
Collier	Hardin	McLain	Starnes
Collins (C)	Harris	Melton	Turnham
Collins (W)	Hobbie	Money	Waggoner
Cook (Jefferson)	Holladay	Nettles	Wright
Culver	House	Owen (Baldwin)	Yeilding
Dobbs	Jackson (F)	Owens (W)	Young
Downing			—52

S. 204 INDEFINITELY POSTPONED

On motion of Mr. Smith, the bill, S. 204, was indefinitely postponed.

And the bill:

S. 77. To create the State Board of Examiners of Nursing Home Administrators; to prescribe the powers of the State Board of Examiners of Nursing Home Administrators; to provide for the issuance of licenses for Nursing Home Administrators; and to prescribe penalties for violations of this Act and rules and regulations promulgated thereunder.

Was taken up.

Mr. Culver offered the following amendment to the bill, S. 77:

In Section IV 3. strike out the following words and figures,

3. Appointments to the board for those positions to be held by nursing home administrators shall be made by the governor from a list

of three (3) nominees for each position to be submitted to the governor by the Alabama nursing home association;

and insert in lieu thereof the following:

3. Appointments to the board for three of those positions to be held by nursing home administrators shall be made by the governor from a list of three (3) nominees for each position to be submitted to the governor by the Alabama nursing home association and appointment prior to July 1, 1975 to one of those positions shall be made from three (3) nominees submitted by the Alabama Nursing Homes at large; and after July 1, 1975, appointments to two of such positions shall be made from three (3) nominees of each position made by the Alabama Nursing Homes at large;

MOTION TO TABLE

On motion of Mr. Starnes, the amendment offered to the bill, S. 77, by Mr. Culver, was tabled.

Yeas 63; Nays 6.

Yeas:

Mr. Speaker	Dobbs	Lemley	Perloff	
Agee	Doss	Lyons	Pruitt	
Bassett	Downing	Malone	Sessions	
Beck	Drake	Manley	Slate	
Berryman (W)	Ellis	Marr	Smith	
Bolton	Fine	McCorquodale	Snell	
Bowers	Foshee	McDonald	Springer	
Brannan	Garrett	McElhaney	Starnes	
Brassell	Graham	McLain	Steagall	
Burgreen	Grainger	Meade	Stembridge	
Cameron	Grayson	Melton	Turnham	
Collier	Hain	Merrill	Waggoner	
Collins (W)	Harris	Nettles	Wright	
Cook (Jefferson)	Headley	Owen (Baldwin)	Yeilding	
Crawford	House	Paulk	Young	
Dill	Laxson	Pearson		—63

Nays:

Messrs.:	Brown	Gafford	Robertson	
Bank	Culver	Hobbie		—6

Mr. Edington offered the following amendment to the bill, S. 77:

Amend S. B. 77, Section 2 by adding the following paragraph:

"Nothing in this Act or the rules and regulations thereunder shall be construed to require an applicant for a license as a nursing home administrator or a temporary license, who is certified by a recognized church or religious denomination which teaches reliance on spiritual means alone for healing as having been approved to administer institutions certified by such church or denomination for the care and treatment of the sick in accordance with its teachings, to demonstrate proficiency in any medical techniques or to meet any medical educational qualifications or medical standards not in accord with the remedial care and treatment provided in such institutions."

MOTION TO TABLE

On motion of Mr. Starnes, the amendment offered by Mr. Edington to the bill, S. 77, was tabled.

Yeas 66; Nays 10.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Perloff	
Adwell	Dobbs	Manley	Pruitt	
Agee	Doss	Marr	Sessions	
Bassett	Downing	Mays	Slate	
Beck	Drake	McCorquodale	Smith	
Berryman (W)	Ellis	McDonald	Snell	
Bowers	Fine	McLain	Starnes	
Brassell	Foshee	Meade	Steagall	
Brown	Garrett	Meeks	Tuck	
Burgess	Graham	Melton	Turnham	
Burgreen	Grainger	Merrill	Waggoner	
Cameron	Hain	Money	Williams	
Collier	Hardin	Neville	Wood	
Collins (W)	Harris	Owens (W)	Wright	
Cook (Jefferson)	Higginbotham	Paulk	Yeilding	
Crawford	Hobbie	Pearson	Young	
Culver	House			—66

Nays:

Messrs.:	Collins (C)	Nettles	Springer	
Brannan	Gafford	Owen (Baldwin)	Watkins	
Cherner	Grayson	Robertson		—10

And the bill, S. 77, was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Pruitt	
Adwell	Dobbs	Laxson	Sessions	
Agee	Downing	Manley	Shumate	
Bassett	Drake	Marr	Slate	
Beck	Edington	McCorquodale	Smith	
Berryman (W)	Ellis	McDonald	Snell	
Bowers	Foshee	McElhaney	Springer	
Brannan	Gafford	McLain	Starnes	
Brassell	Garrett	Meeks	Steagall	
Brown	Graham	Melton	Tuck	
Burgess	Grainger	Merrill	Turnham	
Burgreen	Grayson	Money	Waggoner	
Cameron	Hain	Nettles	Watkins	
Cherner	Hardin	Neville	Williams	
Collier	Harper	Owen (Baldwin)	Wood	
Collins (W)	Harris	Owens (W)	Wright	
Cook (Jefferson)	Higginbotham	Paulk	Yeilding	
Crawford	Hobbie	Pearson	Young	
Culver	House	Perloff		—75

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 164. Congratulating Mrs. Eloise Stuart for having been named Acting Director of the Legislative Reference Service.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill:

H. B. 1173. Relating to counties having populations of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census; to regulate the payment of wages of all policemen employed by any city in such counties and of all deputy sheriffs in such counties; to repeal conflicting laws.

And said Bill, H. B. 1173, together with the Conference Report is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill:

H. 675. To provide in every County having a population of 500,000 or more according to the last or any subsequent Federal census for the creation of a public corporation which shall be vested with the powers provided for in the act, for the purpose of attracting conventions and visitors to the county; to define the powers of such corporation; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the act.

And said Bill, H. B. 675, together with the Conference Report is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

H. 780. To provide for a Dockets Clerk of the Court of Criminal Appeals of Alabama, to provide for the duties of said Dockets Clerk, to fix the compensation, and to make an appropriation for carrying out the provisions of this act.

by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 19, Nays 0.

And said Bill, H. 780, as thus amended by the Executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 18, Nays 0.

And said Bill, H. 780, as thus amended by the Executive Amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill:

H. 942. To levy in Jefferson County a privilege or license tax on persons, corporations, partnerships, firms, associations and other entities engaged in the business of renting or furnishing rooms, lodgings or accommodations, in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings or accommodations are rented or furnished for a consideration; to provide the amount or rate of the aforesaid taxes; to provide for certain exemptions from the taxes so levied; to provide for the method of collection and enforcing the said taxes; to provide that the Director of Revenue of the County shall collect the taxes levied by this act; to provide that the said Director of Revenue shall pay one per cent (1%) of the total amount of the said taxes collected by him to the treasury of the County, as compensation to the County for expenses incurred by the County in the collection of said taxes and in the administration and enforcement of this act; to provide that the said director of Revenue shall pay all of the proceeds of the taxes, except the one percent (1%) deducted as aforesaid, to the convention and visitors authority of the County created by that certain act adopted during the Regular Session of the Legislature of Alabama of 1969, which provides for a convention and visitors bureau in counties of the state having a population of 500,000 or more according to the last or any subsequent Federal census: to repeal all ordinances of any municipalities within the County imposing, or levying, and license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the charges made for rooms, lodgings or ordinances shall not impair the power of the governing body of any municipality to re-enact any ordinance hereby repealed, or to enact any new or different ordinance imposing, or levying, a license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the total charges made for rooms, lodgings or accommodations; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the Act.

And said Bill, H. B. 942, together with the Conference Report is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 70. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall rise prima facie presumptions with reference to the influence of intoxicating liquors.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 822. Relating to certain payments from the county treasuries of all counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census; fixing the amount of compensation and expense allowances that may be paid out of the treasury of any such county to certain county officers and their assistants and the amount of supplementary compensation and expense allowances that may be paid therefrom to certain officers of the circuit courts of the circuit in which such county lies.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 45. To prohibit the exposing of obscene and harmful materials to persons eighteen years of age and older; to define terms and to prescribe penalties.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 566. To authorize and direct the director of conservation to execute on behalf of the State of Alabama a proper conveyance of certain real property to the Board of Trustees of the University of South Alabama, and certain other real property to the Mobile County Board of School Commissioners; and to provide for the relinquishing of certain rights in a certain part of such property by the Mobile County Board of School Commissioners.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 161. Setting aside a page in the Journal of the House to the memory of Governor Frank M. Dixon.

Also:

H. J. R. 162. Designating a portion of U.S. Highway 231 near Arab, Alabama as the "Brindlee Mountain Parkway".

Also:

H. J. R. 163. Expressing the gratitude of the Legislature for the many services of Corporal Walter Joseph Smith and Trooper Samuel Neil Rucker.

Also:

H. J. R. 165. Expressing appreciation to the US Navy for honoring the City of Mobile by naming one of its vessels the USS Mobile.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 993. To amend the title and Section 1 of Act No. 4 adopted at the 1956 Second Special Session of the Legislature, as heretofore amended, the said Act, as last amended, being entitled "An Act relative to municipalities in this state having a population of not less than 3,500 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall not constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof", so as to make the said act applicable to all municipalities having a population of not exceeding 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

McDOWELL LEE,
Secretary.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named, and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 2:30 P.M. on August 26, 1969:

H. 1094

H. 1128

H. 1130

H. 1129

H. 827

H. 1131

H. 1124

H. 281

H. 282

Delivered to the Governor at 4:25 P.M. on August 26, 1969:

H. 780

H. 733

Delivered to the Governor at 7:15 P.M. on August 26, 1969:

H. 1444

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Meade, the House adjourned until two o'clock P. M. on Thursday, September 4, 1969.

Yeas 46; Nays 42.

Yeas:

Mr. Speaker	Fine	McCorquodale	Slate
Berryman (W)	Gloor	McDonald	Starnes
Blanton	Graham	McElhaney	Steagall
Bowers	Hain	Meade	Stembridge
Brassell	Harper	Merrill	Tuck
Burgess	Headley	Neville	Watkins
Burgreen	Higginbotham	Paulk	Weeks
Collier	Jackson (T)	Pearson	Williams
Collins (W)	Laxson	Perloff	Wood
Crawford	Malone	Pruitt	Wright
Dill	Manley	Shumate	Yeilding
Doss	Marr		—46

Nays:

Messrs.:	Downing	Holladay	Owen (Baldwin)
Adwell	Drake	House	Owens (W)
Agee	Edington	Jackson (F)	Pennington
Bank	Ellis	Lemley	Robertson
Bassett	Foshee	Mathews	Sessions
Brannan	Garrett	Mays	Smith
Cameron	Grainger	McLain	Snell
Collins (C)	Grayson	Meeks	Turnham
Cook (Jefferson)	Hardin	Melton	Waggoner
Culver	Harris	Money	Young
Dobbs	Hobbie	Nettles	—42

THIRTY-SIXTH DAY

House of Representatives
Montgomery, Alabama
Thursday, September 4, 1969

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Dr. Henry Lyon, Jr., Pastor, Highland Avenue Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Doss	Jackson (T)	Paulk
Adwell	Downing	Jones	Pearson
Agee	Drake	Kilgore	Pennington
Bank	Edington	Laxson	Perloff
Bassett	Ellis	Lemley	Pruitt
Beck	Fine	Lybrand	Robertson
Berryman (W)	Foshee	Lyons	Sessions
Blanton	Gafford	Malone	Shumate
Bolton	Garrett	Manley	Slate
Bowers	Gloor	Marr	Smith
Brannan	Graham	Mathews	Snell
Brassell	Grainger	Mays	Springer
Brown	Grayson	McCorquodale	Starnes
Burgess	Hain	McDonald	Steagall
Burgreen	Hardin	McElhaney	Stembridge
Cameron	Harper	McLain	Stubbs
Cherner	Harris	Meade	Tuck
Collier	Haygood	Meeks	Turnham
Collins (C)	Headley	Melton	Waggoner
Collins (W)	Higginbotham	Merrill	Watkins
Cook (Coffee)	Hill	Money	Weeks
Cook (Jefferson)	Hobbie	Nettles	Williams
Crane	Holladay	Neville	Wood
Crawford	Holman	Owen (Baldwin)	Wright
Culver	House	Owens (W)	Yeilding
Dill	Jackson (F)	Owens (W.E.)	Young
Dobbs			—105

A quorum was present.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 336. Relating to the purchase of livestock; making it a misdemeanor for any person to buy or offer to buy livestock on any public street, road or highway within two thousand five hundred (2,500) feet of a public livestock market and to provide for enforcement.

Also:

H. 1336. Relating to counties of not less than 65,000 nor more than 95,000 according to the last or any succeeding federal decennial census; providing further for the distribution of fines from convictions in certain cases of traffic violations.

Also:

H. 1358. To divide Houston County into four commissioners' districts for the purpose of electing the members of the county governing body; and to provide for the nomination and election of one member of such body from each district by the qualified electors of the district at the general election in 1970 and every four years thereafter.

Also:

H. 1359. To abolish the Board of Revenue for Houston County, created by Act No. 599, H. 898, of the Regular Session of 1949, and to relieve the judge of probate of Houston County of his duties, powers, and authority as president and ex officio member thereof; and to create the Houston County Board of Commissioners and the office of chairman of such board; to provide for the election, term of office, qualifications, duties and compensation of the chairman and commissioners; and to constitute such board and the chairman thereof as the governing body of Houston County and invest them with the duties of the governing of such county.

Also:

H. 1346. Relating to counties having a population of not less than 25,400 and not more than 25,500 and establishing the procedure for the selection of a depository of the funds of the Board of Education of any county to which this act applies and fixing the compensation for the members of the County Board of Education in any county to which this act applies.

Also:

H. 1335. To establish a barber commission in counties of not less than 65,000 nor more than 95,000 according to the last or any succeeding federal decennial census; to define its duties and powers; and to authorize the county governing body to furnish such commission office space, fixtures and clerical assistance; to fix and provide for payment of the compensation of the commissioners.

Also:

H. 1369. To provide for the annual salary of the chief deputy sheriff in all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; and to prescribe the manner of payment thereof.

Also:

H. 1371. To provide clerical assistants to the judge of probate in all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; and to provide that their compensation shall be payable out of the county treasury.

Also:

H. 1261. To provide expense allowances for the judge of the circuit court of the Twenty-Eighth Judicial Circuit of Alabama.

Also:

H. 1368. Relating to all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; authorizing the county governing body of each of such counties to provide for employment of clerical assistance for the tax assessor, whose compensation is payable out of county funds.

Also:

H. 1370. Relating to all counties having populations of not less than 13,500 nor more than 14,200, according to the most recent federal decennial census; to authorize and direct the county governing body of any such counties to allow and pay to the sheriff of said county an amount not in excess of four hundred dollars ($400.00) monthly for expenses incurred in operation, upkeep, repair and maintenance of his privately-owned automobile used on official business of the county.

Also:

H. 1372. To fix the compensation of the deputy solicitors of all counties having populations of not less than 13,500 nor more than 14,200 according to the most recent federal decennial census.

Also:

H. 1343. Relating to counties having populations of not less than 48,500 nor more than 49,500, to provide that the county governing bodies of such counties shall furnish necessary transportation for travel on official business for certain county officers.

Also:

H. 1373. Relating to counties having populations of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census; to fix the compensation of the chairman and each member of the board of equalization in such counties; to repeal conflicting laws.

Also:

H. 1345. Relating to counties having populations of not less than 48,500 nor more than 49,500, authorizing the governing body of any such county to appropriate county funds to certain non-profit organizations.

Also:

H. 1263. To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Also:

H. 632. To amend Act No. 566, Regular Session 1959 (Acts 1959, p. 1424) relating to frauds concerning checks, drafts, or orders by removing the ten day limitation for proof of payment to overcome the presumption of fraud raised by refusal by the drawee.

Also:

H. 309. To further amend Section 18 of Title 61 of the 1958 Recompiled Code of Alabama which relates to the right of a widow to dissent from the will of her deceased husband.

Also:

H. 1407. Relating to counties having populations of not less than 49,500 nor more than 50,500; providing further for law enforcement in such counties; fixing the fee for the issuance of pistol permits; providing for the deposit of such fees in a fund to be designated as the sheriff's fund; and providing for the use of such fund.

Also:

H. 272. To amend Code of Alabama 1940, Title 7 A, Section 2-314, in relation to implied warranties.

Also:

H. 584. To amend Section 4 of Act No. 673, H. 2, approved October 9, 1947 (General Acts of Alabama, 1947, p. 514), known and cited as the "Regional Vocational and Trade School Act," by providing for and regulating certain paid leaves of absence for members of the faculty of such schools, caused by sickness.

Also:

H. 1063. To authorize the Commissioner of Agriculture and Industries to approve and certify soil testing laboratories that make recommendations for fertilizer or plant food needs for agricultural purposes; to authorize the State Board of Agriculture and Industries to adopt rules and regulations prescribing requirements and standards for the certification of soil testing laboratories and to provide an exemption therefrom; to prohibit false or fraudulent representations concerning certification as authorized hereunder and to provide a penalty for violations.

Also:

H. 1427. To amend further Code of Alabama 1940, Title 39, Section 184, as amended in order to allow state banks to close for additional holidays, and to authorize the closing of such banks on the Saturday following a holiday which falls on a Friday.

Also:

H. 562. To designate marble as the official rock of the State of Alabama.

Also:

H. 1308. To provide that all municipalities and all counties levying an excise or privilege license tax upon the sale, use or consumption, distribution, storage or withdrawal from storage, of gasoline or motor fuel may require that where the tax has been paid to the municipality or county by a distributor, refiner, or by any retail dealer, storer, or user, such payment shall be sufficient, the intent being that the tax shall be borne by the consumer and paid to the municipality or county but once.

Also:

H. 1307. Relating to all incorporated cities and towns within the State of Alabama; authorizing all cities and towns to provide by ordinance for the levy and assessment of sales taxes, parallel to the State levy of sales taxes as levied by Act No. 100, H. 94, Second Special Session 1959, as amended; providing that all such taxes levied or assessed shall be subject to all definitions, exceptions, exemptions, proceedings, requirements, provisions, penalties, fines, punishments, and deductions, as are provided by Act No. 100, H. 94, Second Special Session 1959, as amended; authorizing said cities and towns to provide by ordinance for the levy and assessment of an excise tax or use tax parallel to the

State levy and assessment of excise or use taxes, as levied by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended; providing that the levy and assessment of all said excise taxes and use taxes shall be subject to all definitions, exceptions, exemptions, requirements, provisions, penalties, fines, punishments and deductions, as are provided by Article 11, Chapter 20, Title 51, Code of Alabama 1940, as amended; providing that said cities and towns shall from time to time adopt by ordinance such rules and regulations for making returns and for ascertainment, assessment, and collection of any taxes levied as it may deem necessary to enforce these provisions; providing that the Council or other governing body may adopt in whole or in part any rules and regulations which may be promulgated by the State Department of Revenue or may modify and amend the same, subject to the discretion of the Council or other governing body; providing that the Council or other governing body shall have the authority to provide by ordinance for the rate of said tax, providing that the same may be levied and assessed in whole or in part, in lieu of any privilege license tax based on gross receipts which at the time of said levy, is otherwise provided for by ordinance, pursuant to Title 37, Sec. 735, Code of Alabama 1940; providing that any previous pledge of the proceeds collected from a privilege license tax levied by ordinance, pursuant to Title 37, Sec. 735, Code of Alabama 1940, shall have full force and effect as to any levy or assessment made pursuant to this Act; providing for the levy and assessment of all taxes herein authorized within the police jurisdiction of any said city or town; providing that the Council or other governing body may by Resolution provide for the administration and collection of all taxes levied and assessed under the provisions of this Act by the State Department of Revenue under the provisions and procedures provided for by Act No. 203, H. 99, Special Session 1965.

Also:

H. 3. To amend Section 5 of Act No. 352, H. 44, approved August 23, 1957, General Acts of Alabama of 1957, page 464, as amended by Act No. 80, H. 118, approved September 30, 1965, page 110, so as to remove the requirement that an allocation be made as to each pool where there is an addition to an existing fieldwide unit.

Also:

H. 1004. To amend Act No. 531 adopted at the 1953 Regular Session of the Legislature of Alabama relating to pledges by municipalities, for the benefit of their securities, of that portion of the proceeds from any license, privilege or excise tax levied by local act apportioned and paid to such municipality, so that the said act shall hereafter apply to such taxes levied by any act; so as to provide that successive pledges of any such tax may be made on a parity with each other when the privilege so to do is reserved in proceedings of the municipality; and so as to ratify any pledges of the character authorized by the said act, as herein amended, that may have heretofore been made.

Also:

H. 593. To repeal Title 8, Section 95, Code of Alabama 1940; 1935 General Acts, Page 813, and to amend Act No. 187, H186, Acts of Alabama, Special Session 1961, Page 2157, approved September 15, 1961, which relates to licenses to capture and kill furbearing animals.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirty-fifth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the thirty-fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirty-fifth legislative day was approved.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 123. Commending Mrs. Clara Stone Collins upon her election as President-Elect of the National Order of Women Legislators.

Also:

H. J. R. 127. Commending volunteer workers, law enforcement personnel, units of the American Red Cross and Civil Defense in the Mobile area for their services to residents of the Alabama Gulf Coast during and after the passage of Hurricane Camille.

Also:

H. J. R. 136. Naming House Bill No. 91.

Also:

H. J. R. 154. Naming "The Edward W. Lisenby Public Lake" at Ozark.

Also:

H. J. R. 156. Congratulating and commending the ladies of American Legion Post 208 at Northport.

Also:

H. J. R. 158. Dedicating a page in the Journal of the House to the memory of Governor Lurleen Burns Wallace.

Also:

H. J. R. 159. Dedicating a page in the Journal of the House to the memory of Governor Chauncey Sparks.

Also:

H. J. R. 160. Dedicating a page in the Journal of the House to the memory of Governor Gordon Persons.

Also:

H. J. R. 138. Designating the "Sesquicentennial Highway".

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 124. Urging the State Highway Department to post signs or notices requiring slow moving traffic to keep to the right lane.

Also:

H. J. R. 144. Mourning the death of Mr. Carl Ross, Jr., of Bessemer.

Also:

H. J. R. 146. Expressing regret upon the death of Mr. J. Fred Thrasher of Baldwin County.

Also:

H. J. R. 148. Designating House Bill 513 "The Ellis-Albea Bill".

Also:

H. J. R. 149. Commending Mr. Barrett Shelton, Sr. upon the occasion of his receiving the honorary degree of Doctor of Laws from the University of Alabama.

Also:

H. J. R. 150. Commending Mrs. Ruth Lawson Hanson for her untiring efforts in fighting diabetes.

Also:

H. J. R. 151. Mourning the death of Mr. LaMont Glass, of Greenville, former member of the Alabama House of Representatives.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

RESOLUTIONS

The following resolutions were introduced:

By Rules Committee:

H. R. 166. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, That the following business in the order named be made special, paramount and continuing order of business for the Thirty-sixth Legislative Day, taking precedence over any other business in the House for this day:

Uncontested Local Bills

SB 310, Page 5

SB 778, Page 30

SB 749, Page 30

SB 378, Page 20

SB 4, Page 43

SB 519, Page 36

SB 622, Page 10

SB 842, Page 34

SB 608, Page 38

SB 528, Page 41

SB 520, Page 55

SB 521, Page 56

SB 522, Page 57

SB 523, Page 58

SB 524, Page 58

SB 525, Page 59

SB 526, Page 60

SB 277, Page 21

SB 479, Page 4

SB 482, Page 14

SB 484, Page 15

SB 477, Page 43

SB 861, Page 24

SB 563, Page 37

SB 285, Page 21
SB 251, Page 33
SB 120, Page 34
SB 121, Page 35
SB 122, Page 35
SB 515, Page 17
SB 517, Page 29
SB 569, Page 11
SB 8, Page 9
SB 651, Page 26
SB 472, Page 46
SB 473, Page 47
SB 474, Page 45
SB 419, Page 13
SB 420, Page 13
SB 603, Page 10
SB 620, Page 62
SB 49, Page 44
SB 287, Page 29
SB 502, Page 17
SB 681, Page 9
SB 621, Page 8
SB 866, Page 24
SB 747, Page 39
SB 692, Page 44
SB 769, Page 26
SB 71, Page 25
SB 72, Page 25
SB 129, Page 5
SB 138, Page 41
SB 712, Page 38
SB 146, Page 22
SB 583, Page 37
SB 256, Page 13
SB 369, Page 28
SB 154, Page 5

SB 155, Page 6

SB 205, Page 12

SB 760, Page 7

SB 761, Page 8

SB 762, Page 8

SB 649, Page 21

SB 460, Page 42

SB 220, Page 31

SB 393, Page 18

SB 113, Page 2

SB 39, Page 27

SB 15, Page 61

SB 16, Page 63

SB 48, Page 4

SB 845, Page 41

SB 617, Page 55

SB 257, Page 28

On motion of Mr. Merrill, H. R. 166 was adopted.

Also:

By Messrs. Lybrand, Bank, Shumate, Dobbs, Brown, Culver and Robertson:

H. J. R. 167. WHEREAS the State of Alabama has lost one of its finest citizens in the recent death of Powell Anders Hamner, former sheriff of Walker County, who was a resident of Tuscaloosa at the time of his death; and

WHEREAS Mr. Hamner served as chief law enforcement officer in Walker County for many years at a time when this required bravery, stamina, and the soundest of judgement, and the faith of the people of Walker County in Powell Hamner was demonstrated time and again as they returned him to office; and

WHEREAS Powell Anders Hamner was well regarded and respected by fellow peace officers throughout the state, and was active for many years in Masonic organizations, and in community affairs in both Walker and Tuscaloosa Counties; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body mourns the death of Powell Anders Hamner and expresses its deepest sympathy to Mrs. Hamner, to his sons Hoyt, Ralph, and Sam, and his daughters Mrs. Maxine Everett and Mrs. Sue Bailey.

BE IT FURTHER RESOLVED, that a copy of this resolution be sent to each member of the family of Powell Anders Hamner.

On motion of Mr. Lybrand, the rules were suspended and H. J. R. 167 was adopted.

Also:

By Messrs. Collins (C) and Nettles:

H. J. R. 168. WHEREAS, Joseph Brandly Converse of Selma, resident of Mobile for over forty years, celebrated his eighty-first birthday on August 12, 1969; and

WHEREAS, Mr. Converse has for many years epitomized the finest in citizenship and in professional integrity as a Consulting Engineer, having served for many years on the Alabama Board of Registration for Professional Engineers and having been licensed in numerous southern states as an Engineer; and having been President and later Chairman of the Board of J. B. Converse and Co., Inc., of Mobile; and

WHEREAS, Mr. Converse has served in the past on the Mobile County School Board for six years, as Chairman of Mobile United Fund, as President of Mobile Rotary Club, as District Governor for Rotary, as a member of the Board of the Mobile Area Chamber of Commerce for many years in the past, as President of the State Chamber of Commerce for three terms, as Director of the United States Chamber of Commerce; and

WHEREAS, the supreme vision of Joseph B. Converse's life was realized in the creation of Mobile's excellent water storage system, in which Big Creek Lake was made into the chief reservoir for the City of Mobile, this resulting from Mr. Converse's dedication toward this dream of an adequate and pure water system for Mobile;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, That as a tribute to Joseph Brandly Converse's dedication and long years of service to the Mobile area, that Big Creek Lake shall be named and shall henceforth be known as Lake Converse; and

FURTHER BE IT RESOLVED, That a copy of this Resolution be spread upon the minutes of the Journal of each House, and a copy of this Resolution be sent to Mr. and Mr. Joseph Brandly Converse.

On motion of Mrs. Collins (C), the rules were suspended and H. J. R. 168 was adopted.

Also:

By Messrs. Lyons, Adwell, Agee, Bank, Bassett, Beck, Berryman (W), Blanton, Bowers, Brannan, Brown, Burgess, Cameron, Collier, Collins (W), Cook (Coffee), Cook (Jefferson), Crane, Culver, Dill, Dobbs, Doss, Downing, Drake, Ellis, Fine, Fite, Foshee, Gafford, Garrett, Gloor, Grayson, Hain, Hardin, Harper, Harris, Haygood, Headley, Hobbie, Holman, House, Jackson (F), Jackson (T), Jones, Kilgore, Lemley, Marr, Mathews, McCorquodale, McElhaney, Meade, Melton, Merrill, Money, Owen (Baldwin), Owens (W), Pennington, Perloff, Pruitt, Robertson, Sessions, Slate, Snell, Springer, Starnes, Steagall, Stubbs, Tuck, Turnham, Waggoner, Watkins, Weeks, Williams, Wood:

H. J. R. 169. WHEREAS, it is the inherent right of parents in a free society to exercise some authority and control in the matter of the education of their children; and

WHEREAS, this inherent right of parents in Alabama is jeopardized by the Department of Health, Education and Welfare and the Department of Justice acting in collaboration with the federal judiciary; and

WHEREAS, the loss of the right of parents to exercise any freedom in choosing which school their children attend destroys the final vestige of an inherent right; and

WHEREAS, the legality of freedom of choice has heretofore been established and recognized by United States Congress, the Department of Health, Education and Welfare, the Department of Justice, the federal judiciary, and President Richard M. Nixon himself; and

WHEREAS, Congress stated in the 1968 appropriations bill for Health, Education and Welfare:

"No part of the funds contained in this Act may be used to force bussing of students, abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent in order to overcome racial imbalance";

WHEREAS, President Nixon has stated:

"I oppose any action . . . . that goes beyond a mandate of Congress. . . . The law clearly states that desegregation shall not mean the assignment of students to public schools in order to overcome racial imbalance": and

WHEREAS, recent orders of federal courts in Alabama and the Fifth Circuit Court of Appeals ignore both judicial precedent and congressional mandate, deprive parents and their children of inherent rights, and threaten the destruction of the public school system in Alabama; and

WHEREAS, the overwhelming majority of parents of all races in Alabama prefer freedom of choice to any unlawful integration plans; and

WHEREAS, it is the duty of the members of the Alabama Legislature to do everything within their power to support and preserve the rights of the parents and children of this state;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING:

That the freedom of choice plan of pupil assignment is hereby declared to be the lawful and least disruptive system of pupil assignment in the public schools of Alabama and that such system of assignment complies in full with the expressions of Congress, statements of the President of the United States, decrees of the federal judiciary, and prior directives of federal agencies.

That such freedom of choice should be followed by parents of school children in this State in enrolling their children in public schools and that in doing so these parents are abiding by the law, acting in the best interest of their children, and exercising a fundamental right.

That the Legislature does hereby advise and recommend that those parents or school children in this State who have been denied freedom of choice in the assignment of their children to public schools now take their children to the school of their original choice, insist upon the enrollment of such children, and peacefully remain at such school until enrollment has taken place.

That in the event the school of original choice cannot accept a child by reason of overcrowding by non-voluntary students, such non-voluntary students should be returned to the school from which they were arbitrarily removed.

That the Legislature hereby directs all Superintendents of Education, School Principals, and members of the School Boards in Alabama to take whatever action is required to accommodate parents in their exercise of freedom of choice, including the opening of closed schools, elimination of bussing to achieve racial balance, and prompt enrollment.

That it is further declared to be the sense of the Legislature that no punitive action be taken against any person by reason of the orderly, peaceful and lawful exercise of the right of freedom of choice hereunder; and the Alabama Bar Association is respectfully requested to counsel and assist parents exercising such rights.

That it is the policy of the Legislature that the free textbooks provided school children of this State through legislative appropriation be made available to all children and that no child be denied such textbooks by reason of the exercise of freedom of choice by such child or its parent.

That the Legislature directs the State Superintendent of Education, State Board of Education, and all other State and local officials not to take any action which would deprive any local school system of its share of the Minimum Program Fund by reason of abnormal attendance of pupils caused by the disruptive, arbitrary, and illegal actions of federal agencies or courts beyond the control of local authorities.

That the Alabama Legislature does hereby assume full responsibility for counselling and encouraging the citizens of Alabama to exercise their fundamental rights in a lawful and peaceful manner.

That, finally, the Legislature calls upon all the people of Alabama to face this crisis with the determination and resolution that only by insisting on their fundamental rights will the control of public schools be returned to local authority and the people.

On motion of Mr. Lyons, the rules were suspended and H. J. R. 169 was adopted.

Yeas 85; Nays 5.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Pearson
Adwell	Ellis	Jackson (T)	Pennington
Agee	Fine	Jones	Perloff
Bank	Foshee	Kilgore	Pruitt
Bassett	Gafford	Lemley	Robertson
Beck	Garrett	Lyons	Sessions
Berryman (W)	Gloor	Malone	Slate
Blanton	Grainger	Marr	Springer
Bowers	Grayson	Mathews	Starnes
Brannan	Hain	McCorquodale	Steagall
Brown	Hardin	McElhaney	Stembridge
Burgess	Harper	Meade	Stubbs
Burgreen	Harris	Meeks	Tuck
Cameron	Haygood	Melton	Turnham
Cherner	Headley	Merrill	Waggoner
Collier	Higginbotham	Money	Watkins
Collins (W)	Hill	Neville	Weeks
Cook (Coffee)	Hobbie	Owen (Baldwin)	Williams
Crawford	Holladay	Owens (W)	Wood
Culver	Holman	Owens (W.E.)	Yeilding
Dobbs	House	Paulk	Young
Doss			

—85

Nays:

Messrs.:	Edington	Nettles	Wright	
Collins (C)	Mays			—5

Also:

By Messrs. Lyons, Marr, Bowers, Watkins, Pennington, Hobbie, Culver, Owen (Baldwin), Drake, Downing, Owens (W), Starnes, Brannan, Melton, House, Harper, Fine, Turnham, Williams, Waggoner, Perloff, Cook, (Jefferson), McCorquodale, Ellis, Blanton, Bank, Foshee, Lemley, Garrett, Adwell, Stubbs, Dobbs, Springer, Pruitt, Hain, Merrill, Fite, Mathews, Wood, McElhaney, Brown, Tuck, Burgess, Cameron, Collins (W), Beck, Agee, Snell, Steagall, Harris, Hardin, Bassett, Dill, Money, Slate, Doss, Sessions, Kilgore, Jackson (F), Jackson (T), Haygood, Crane, Berryman (W), Holman, Collier, Gafford, Cook (Coffee), Headley, Meade, Jones, Gloor, Robertson, Grayson and Weeks:

H. R. 170. WHEREAS, it is the inherent right of parents in a free society to exercise some authority and control in the matter of the education of their children; and

WHEREAS, this inherent right of parents in Alabama is jeopardized by the Department of Health, Education and Welfare and the Department of Justice acting in collaboration with the federal judiciary; and

WHEREAS, the loss of the right of parents to exercise any freedom in choosing which school their children attend destroys the final vestige of an inherent right; and

WHEREAS, the legality of freedom of choice has heretofore been established and recognized by United States Congress, the Department of Health, Education and Welfare, the Department of Justice, the federal judiciary, and President Richard M. Nixon himself; and

WHEREAS, Congress stated in the 1968 appropriations bill for Health, Education and Welfare:

"No part of the funds contained in this Act may be used to force bussing of students, abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent in order to overcome racial imbalance";

WHEREAS, President Nixon has stated:

"I oppose any action . . . . that goes beyond a mandate of Congress. . . . The law clearly states that desegregation shall not mean the assignment of students to public schools in order to overcome racial imbalance": and

WHEREAS, recent orders of federal courts in Alabama and the Fifth Circuit Court of Appeals ignore both judicial precedent and congressional mandate, deprive parents and their children of inherent rights, and threaten the destruction of the public school system in Alabama; and

WHEREAS, the overwhelming majority of parents of all races in Alabama prefer freedom of choice to any unlawful integration plans; and

WHEREAS, it is the duty of the members of the Alabama Legislature to do everything within their power to support and preserve the rights of the parents and children of this state;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING:

That the freedom of choice plan of pupil assignment is hereby declared to be the lawful and least disruptive system of pupil assignment in the public schools of Alabama and that such system of assignment complies in full with the expressions of Congress, statements of the President of the United States, decrees of the federal judiciary, and prior directives of federal agencies.

That such freedom of choice should be followed by parents of school children in this State in enrolling their children in public schools and that in doing so these parents are abiding by the law, acting in the best interest of their children, and exercising a fundamental right.

That the Legislature does hereby advise and recommend that those parents of school children in this State who have been denied freedom of choice in the assignment of their children to public schools now take their children to the school of their original choice, insist upon the enrollment of such children, and peacefully remain at such school until enrollment has taken place.

That in the event the school of original choice cannot accept a child by reason of overcrowding by non-voluntary students, such non-voluntary students should be returned to the school from which they were arbitrarily removed.

That the Legislature hereby directs all Superintendents of Education, School Principals, and members of the School Boards in Alabama to take whatever action is required to accommodate parents in their exercise of freedom of choice, including the opening of closed schools, elimination of bussing to achieve racial balance, and prompt enrollment.

That it is further declared to be the sense of the Legislature that no punitive action be taken against any person by reason of the orderly, peaceful and lawful exercise of the right of freedom of choice hereunder; and the Alabama Bar Association is respectfully requested to counsel and assist parents exercising such rights.

That it is the policy of the Legislature that the free textbooks provided school children of this State through legislative appropriation be made available to all children and that no child be denied such textbooks by reason of the exercise of freedom of choice by such child or its parent.

That the Legislature directs the State Superintendent of Education, State Board of Education, and all other State and local officials not to take any action which would deprive any local school system of its share of the Minimum Program Fund by reason of abnormal attendance of pupils caused by the disruptive, arbitrary, and illegal actions of federal agencies or courts beyond the control of local authorities.

That the Alabama Legislature does hereby assume full responsibility for counselling and encouraging the citizens of Alabama to exercise their fundamental rights in a lawful and peaceful manner.

That, finally, the Legislature calls upon all the people of Alabama to face this crisis with the determination and resolution that only by insisting on their fundamental rights will the control of public schools be returned to local authority and the people.

On motion of Mr. Lyons, the rules were suspended and H. R. 170 was adopted.

Yeas 87; Nays 5.

Yeas:

Mr. Speaker	Dill	House	Paulk	
Adwell	Dobbs	Jackson (F)	Pearson	
Agee	Doss	Jackson (T)	Pennington	
Bank	Downing	Jones	Perloff	
Bassett	Drake	Kilgore	Pruitt	
Beck	Ellis	Lemley	Robertson	
Berryman (W)	Fine	Lyons	Sessions	
Blanton	Foshee	Malone	Slate	
Bowers	Gafford	Manley	Springer	
Brannan	Garrett	Marr	Starnes	
Brassell	Gloor	Mathews	Steagall	
Brown	Grainger	McCorquodale	Stembridge	
Burgess	Grayson	McElhaney	Stubbs	
Burgreen	Hain	Meade	Tuck	
Cameron	Hardin	Meeks	Turnham	
Cherner	Harper	Melton	Waggoner	
Collier	Harris	Merrill	Watkins	
Collins (W)	Headley	Money	Weeks	
Cook (Coffee)	Higginbotham	Neville	Williams	
Cook (Jefferson)	Hobbie	Owen (Baldwin)	Wood	
Crawford	Holladay	Owens (W)	Young	
Culver	Holman	Owens (W.E.)		—87

Nays:

Messrs.:	Edington	Nettles	Wright	
Collins (C)	Mays			—5

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report it has examined the following House Bills and House Joint Resolutions, to-wit:

H. 1530. Relating to cities having a population of not less than 100,000 nor more than 200,000 according to the last or any succeeding federal census; providing for the planning, design, location, financing by the issuance of revenue bonds, acquisition of property for, construction, alteration, enlargement, use, maintenance, operation, leasing to others, and fostering by such cities of off-street automobile parking facilities in such cities; to exempt from taxation such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; and to provide that such bonds shall be legal investments for banks and insurance companies organized under laws of this State.

Also:

H. 1173. Relating to counties having populations of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census; to regulate the payment of wages of all policemen employed by any city in such counties and of all deputy sheriffs in such counties; to repeal conflicting laws.

Also:

H. 675. To provide in every County having a population of 500,000 or more according to the last or any subsequent Federal census for the

creation of a public corporation which shall be vested with the powers provided for in the act, for the purpose of attracting conventions and visitors to the county; to define the powers of such corporation; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the act.

Also:

H. 780. To provide for a Dockets Clerk of the Court of Criminal Appeals of Alabama, to provide for the duties of said Dockets Clerk, to fix the compensation, and to make an appropriation for carrying out the provisions of this act.

Also:

H. 942. To levy in Jefferson County a privilege or license tax on persons, corporations, partnerships, firms, associations and other entities engaged in the business of renting or furnishing rooms, lodgings or accommodations, in any hotel, motel, inn, tourist court, or any other place in which rooms, lodgings or accommodations are rented or furnished for a consideration; to provide the amount or rate of the aforesaid taxes; to provide for certain exemptions from the taxes so levied; to provide for the method of collection and enforcing the said taxes; to provide that the Director of Revenue of the County shall collect the taxes levied by this act; to provide that the said Director of Revenue shall pay one per cent (1%) of the total amount of the said taxes collected by him to the treasury of the County, as compensation to the County for expenses incurred by the County in the collection of said taxes and in the administration and enforcement of this act; to provide that the said director of Revenue shall pay all of the proceeds of the taxes, except the one percent (1%) deducted as aforesaid, to the convention and visitors authority of the County created by that certain act adopted during the Regular Session of the Legislature of Alabama of 1969, which provides for a convention and visitors bureau in counties of the state having a population of 500,000 or more according to the last or any subsequent Federal census: to repeal all ordinances of any municipalities within the County imposing, or levying, and license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the charges made for rooms, lodgings or ordinances shall not impair the power of the governing body of any municipality to re-enact any ordinance hereby repealed, or to enact any new or different ordinance imposing, or levying, a license tax on the hotel, motel or tourist court business based on the gross receipts of such business, or on a percentage of the total charges made for rooms, lodgings or accommodations; and to provide for the repeal of laws, whether general, special or local, in conflict with the provisions of the Act.

Also:

H. 993. To amend the title and Section 1 of Act No. 4 adopted at the 1956 Second Special Session of the Legislature, as heretofore amended, the said Act, as last amended, being entitled "An Act relative to municipalities in this state having a population of not less than 3,500 and not more than 100,000 inhabitants according to the last or any subsequent federal special or decennial census; authorizing each such municipality to acquire property suitable for use by any commercial enterprise in furnishing hotel services, including food or lodging or both, and the rental of ground floor space or other accommodations to others engaged in any business, trade, profession, occupation or activity; authorizing such municipalities to lease such property subject to certain specified requirements; authorizing such municipalities to finance the acquisition of such properties by the issuance of revenue bonds payable

solely out of the revenues from the leasing of such properties and to secure such bonds by pledges of such revenues and leases and by mortgages on such properties; providing that all such bonds shall be negotiable instruments; authorizing the refunding of any such bonds; providing for remedies in the event of default respecting any bonds issued under the act; exempting from taxation such properties and the revenue from the lease thereof, such bonds and the income therefrom, all mortgages executed as security therefor and all lease agreements made hereunder; prohibiting any such municipality from making contributions to the cost of any such properties and from furnishing land therefor; providing that such bonds in any agreement made in connection therewith shall constitute an indebtedness of a municipality or a pecuniary liability of any kind; providing that such bonds shall be legal investments for savings banks and insurance companies organized under the laws of this state; providing the purposes for which the proceeds from the sale of such bonds may be used; providing that no notice to or consent or approval by any governmental body or public officer shall be a prerequisite to the issuance of such bonds or securing thereof", so as to make the said act applicable to all municipalities having a population of not exceeding 100,000 inhabitants according to the last or any subsequent federal special or decennial census.

Also:

H. J. R. 161. Dedicating a page in the Journal of the House to the memory of former Governor Frank Murray Dixon.

Also:

H. J. R. 162. Designating the "Brindlee Mountain Parkway".

Also:

H. J. R. 163. Commending Corporal Walter Joseph Smith and Trooper Samuel Neil Rucker for their outstanding services to the Legislature.

Also:

H. J. R. 164. Commending and congratulating Mrs. Eloise Stuart upon being named Acting Director of the Legislative Reference Service.

Also:

H. J. R. 165. Expressing appreciation to the U. S. Navy Department for naming the USS MOBILE for the oldest and second largest city in Alabama.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 155. Designating Honorable Robert S. Edington as the official representative from the Legislature at the commissioning of the USS MOBILE.

Also:

H. J. R. 157. Creating a Joint Interim Committee on legislative and lobbying ethics.

McDOWELL LEE,
Secretary.

UNANIMOUS CONSENT GRANTED

At the request of Mr. Dill, unanimous consent was granted for the Journal to show that had he been in the House chambers he would have voted Yea on the resolutions, H. J. R. 169 and H. R. 170.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Blanton:

H. R. 171. WHEREAS The indiscriminate transferring of teachers in the public school systems from one school to another can, in the opinion of this body, be disruptive to the efficient management and administration of the schools so affected; and

WHEREAS In many cases, teachers so transferred may be incompetent to teach the grade to which they are assigned, and any such incompetence could be severely detrimental to the education and welfare of the children of Alabama; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, That we urge the State Department of Education to set standards of competence which should be met before any teacher can be transferred by any local board of education from one school to another, and

BE IT FURTHER RESOLVED That it is the sense of this body that such transfers be subject to the review and approval of the State Department of Education retroactively to September 1 of this year, and the State Department of Education be required to promulgate such rules and regulations that will require any teacher being transferred to undergo a test to determine his or her competence to teach the grade to which such teacher is transferred. The aforesaid tests should be by written examinations, conducted by, or under the supervision of the State Department of Education. In the event such teacher is determined by the State Department of Education not to be competent to teach the grade to which he or she is transferred such teacher shall not be allowed to teach that grade.

On motion of Mr. Blanton, the rules were suspended and H. R. 171 was adopted.

Also:

By Messrs. Bank, Fite, Agee, Bassett, Beck, Berryman (W), Bolton, Brassell, Brown, Burgreen, Cameron, Cherner, Collier, Collins (W), Cook (Coffee), Cook (Jefferson), Crawford, Culver, Dill, Doss, Downing, Drake, Edington, Ellis, Fine, Foshee, Garrett, Gloor, Grainger, Grayson, Hain, Harper, Harris, Haygood, Headley, Hill, Holladay, Holman, Jackson (F), Jones, Kilgore, Laxson, Lemley, Lybrand, Lyons, Malone, Marr, Mathews, Mays, McCorquodale, McDonald, McElhaney, McLain, Meade, Melton, Merrill, Nettles, Neville, Owens (W), Pearson, Pennington, Perloff, Pruitt, Sessions, Shumate, Snell, Springer, Starnes, Steagall, Stembridge, Stubbs, Tuck, Watkins, Williams, Wood, Wright, Yeilding, Young:

H. J. R. 172. WHEREAS, Governor Albert P. Brewer was elected by the National Governor's Conference at its Sixty-first annual meeting in Colorado Springs, Colorado to membership on the Executive Committee of said National Governor's Conference, and

WHEREAS, such recognition of Governor Brewer by his fellow Governors brings great personal credit to him and to the people of Alabama, and

WHEREAS, Governor Brewer, as a member of the Executive Committee of the National Governor's Conference can exercise a strong voice relative to policy positions taken by the Governors of the fifty states of the Union concerning many vital areas affecting the rights of the States and the relationship of the States in the federal system.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that Governor Albert P. Brewer be commended and congratulated for his having been selected to membership on the Executive Committee of the National Governor's Conference.

On motion of Mr. Bank, the rules were suspended and H. J. R. 172 was adopted.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Pearson
Agee	Drake	Laxson	Pennington
Bank	Edington	Lemley	Perloff
Bassett	Ellis	Lybrand	Pruitt
Beck	Fine	Lyons	Sessions
Berryman (W)	Foshee	Malone	Shumate
Bolton	Garrett	Marr	Snell
Brassell	Gloor	Mathews	Springer
Brown	Grainger	Mays	Starnes
Burgreen	Grayson	McCorquodale	Steagall
Cameron	Hain	McDonald	Stembridge
Cherner	Harper	McElhaney	Stubbs
Collier	Harris	McLain	Tuck
Collins (W)	Haygood	Meade	Watkins
Cook (Coffee)	Headley	Melton	Williams
Cook (Jefferson)	Hill	Merrill	Wood
Crawford	Holladay	Nettles	Wright
Culver	Holman	Neville	Yeilding
Dill	Jackson (F)	Owens (W)	Young
Doss	Jones		

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MOTION TO AMEND HOUSE RULES

In accordance with motion in writing filed on the preceding legislative day, Mr. McLain moved to amend the House Rules for secret ballot on election of House officers.

The Speaker ruled on point of order that the motion of Mr. McLain was out of order and in conflict with Section 83 of the Constitution of Alabama.

RESOLUTION

H. R. 173 was introduced by Messrs. Stubbs and Blanton, and on motion of Mr. Stubbs the rules were suspended and H. R. 173 was adopted.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State of Alabama
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor.

Respectfully submitted,

ROBERT M. CLECKLER,
Secretary to the Governor.

September 4, 1969

To the House of Representatives
State of Alabama
C A P I T O L

Gentlemen:

I am returning to you herewith House Bill 621 without my approval, and suggest the following amendment:

Amend House Bill 621 by striking therefrom the whole of Section 2, F (38) and insert in lieu thereof the following:

"(38) Bureau of Publicity and Information:

For the fiscal year ending September 30, 1970:		
For salaries	$ 29,300.00	
For other expenses	33,634.00	
For automotive equipment purchases	4,000.00	
For advertising	350,000.00	
Total		$416,934.00
For the fiscal year ending September 30, 1971:		
For salaries	$ 31,400.00	
For other expenses	35,648.00	
For advertising	350,000.00	
For Welcome Centers: Operation and Maintenance	50,000.00	
Total		$ 467,048.00

The above appropriation shall be paid from the receipts collected under the provisions of Act No. 269, 1963 Regular Session."

The adoption of this amendment will remove my objection to said House Bill 621.

Respectfully,

ALBERT P. BREWER,
Governor.

September 4, 1969

GOVERNOR'S MESSAGE

On motion of Mr. Mathews, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 621, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 70; Nay 1.

Yeas:

Mr. Speaker	Ellis	Jackson (T)	Owens (W.E.)
Agee	Fine	Jones	Pearson
Bank	Foshee	Kilgore	Pennington
Bassett	Gafford	Laxson	Perloff
Berryman (W)	Garrett	Lemley	Pruitt
Blanton	Gloor	Manley	Robertson
Bowers	Graham	Mathews	Sessions
Brannan	Grainger	Mays	Shumate
Brassell	Grayson	McCorquodale	Smith
Brown	Hain	McElhaney	Snell
Burgreen	Hardin	Meade	Stubbs
Cameron	Harper	Meeks	Tuck
Collier	Harris	Money	Turnham
Cook (Coffee)	Hobbie	Nettles	Weeks
Crawford	Holladay	Neville	Williams
Culver	Holman	Owen (Baldwin)	Yeilding
Dill	House	Owens (W)	Young
Edington	Jackson (F)		—70

Nay: Mr. Lyons. —1

Which was a majority of the whole number elected to the House.

And said bill:

H. 621. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Brannan	Collins (W)	Edington
Agee	Brassell	Cook (Coffee)	Ellis
Bank	Brown	Crawford	Fine
Bassett	Burgreen	Culver	Foshee
Berryman (W)	Cameron	Dill	Gafford
Blanton	Collier	Downing	Garrett
Bowers	Collins (C)	Drake	Gloor

Graham	Jackson (T)	Meade	Robertson
Grainger	Jones	Meeks	Sessions
Grayson	Kilgore	Money	Shumate
Hain	Laxson	Nettles	Smith
Hardin	Lemley	Owen (Baldwin)	Snell
Harper	Malone	Owens (W)	Stubbs
Harris	Marr	Owens (W.E.)	Turnham
Hobbie	Mathews	Pearson	Weeks
Holladay	Mays	Pennington	Williams
Holman	McCorquodale	Perloff	Yeilding
House	McElhaney	Pruitt	Young
Jackson (F)			—73

Which was a majority of the whole number elected to the House.

RESOLUTION

The following resolution was introduced:

By Messrs. Mathews, Fite, Adwell, Agee, Bank, Bassett, Beck, Berryman (W), Blanton, Bolton, Bowers, Brannan, Brassell, Brown, Burgess, Burgreen, Cameron, Cherner, Collier, Collins (W), Cook (Coffee), Crawford, Culver, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Foshee, Gafford, Garrett, Gloor, Graham, Grainger, Grayson, Hain, Hardin, Harper, Harris, Headley, Higginbotham, Hobbie, Holladay, Holman, Jackson (F), Jones, Kilgore, Laxson, Lemley, Lybrand, Lyons, Manley, Marr, Mays, McCorquodale, McElhaney, McLain, Meade, Meeks, Melton, Merrill, Money, Nettles, Owen (Baldwin), Owens (W), Owens (W.E.), Pearson, Pennington, Perloff, Pruitt, Robertson, Sessions, Shumate, Slate, Smith, Snell, Springer, Steagall, Tuck, Waggoner, Weeks, Williams, Wright, Yeilding, Young:

H. J. R. 174. WHEREAS, Mr. Frank "Pig" House, a distinguished member of the House of Representatives, organized and coordinated the first ALABAMA SPORTS HALL OF FAME; and

WHEREAS, the first Hall of Fame event was held on February 7, 1969, in Birmingham, Alabama, at the Municipal Auditorium; and

WHEREAS, the remarkable success was due in large measure to the untiring efforts of Rep. House; and because of the standing and respect which Mr. House commands in the Sports World, many sports figures of international importance were persuaded to attend; and

WHEREAS, this successful inauguration of what has become a nationally known honor and salute to Alabama's athletic figures, has reflected great prestige not only upon Representative House, but upon the people of the State of Alabama; and

WHEREAS, the efforts of Mr. House will bear permanent fruit in the location of the Alabama Sports Hall of Fame in our new thirty-five million dollar Civic Center in Birmingham, Alabama; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we salute, commend, and congratulate Mr. House for this success in organizing, coordinating and administering a program which will long reflect the pride and respect of the people of this State in their fellow Alabamians who have achieved success in the demanding World of Sports, and we expect the continuing guidance and skill of Mr. House to expand the program to even greater success than it has enjoyed this year.

On motion of Mr. Mathews, the rules were suspended and H. J. R. 174 was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Dill	Holladay	Owen (Baldwin)
Adwell	Dobbs	Holman	Owens (W)
Agee	Doss	Jackson (F)	Owens (W.E.)
Bank	Downing	Jones	Pearson
Bassett	Drake	Kilgore	Pennington
Beck	Edington	Laxson	Perloff
Berryman (W)	Ellis	Lemley	Pruitt
Blanton	Fine	Lybrand	Robertson
Bolton	Foshee	Lyons	Sessions
Bowers	Gafford	Manley	Shumate
Brannan	Garrett	Marr	Slate
Brassell	Gloor	Mathews	Smith
Brown	Graham	Mays	Snell
Burgess	Grainger	McCorquodale	Springer
Burgreen	Grayson	McElhaney	Steagall
Cameron	Hain	McLain	Tuck
Cherner	Hardin	Meade	Waggoner
Collier	Harper	Meeks	Weeks
Collins (W)	Harris	Melton	Williams
Cook (Coffee)	Headley	Merrill	Wright
Crawford	Higginbotham	Money	Yeilding
Culver	Hobbie	Nettles	Young

—88

MOTION TO RECONSIDER S. 802

Having voted on the prevailing side, Mr. McDonald moved to reconsider the vote by which the bill, S. 802 was passed, and the motion was adopted.

And the bill:

S. 802. To provide for an election to be held to allow the electorate of Marshall County to vote on whether or not said county shall transfer certain county functions in relation to the construction, repair and maintenance of public roads and bridges to the state highway department; and providing for the reorganization of the Marshall County Commission on Government and Finance as it now exists; abolishing same and establishing in lieu thereof the Marshall County Commission; and providing that this act shall become operative only if approved at the referendum held as herein provided.

Was again read a third time at length and passed.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Brassell	Crane	Gafford
Adwell	Brown	Crawford	Garrett
Agee	Burgess	Dill	Graham
Bank	Burgreen	Dobbs	Grainger
Bassett	Cameron	Doss	Grayson
Berryman (W)	Cherner	Downing	Hain
Blanton	Collier	Edington	Hardin
Bolton	Collins (W)	Ellis	Harper
Bowers	Cook (Coffee)	Fine	Harris
Brannan	Cook (Jefferson)	Foshee	Headley

Higginbotham	Manley	Nettles	Smith
Hobbie	Marr	Owen (Baldwin)	Snell
Holman	Mays	Owens (W)	Springer
House	McCorquodale	Owens (W.E.)	Steagall
Jackson (F)	McElhaney	Pearson	Tuck
Jackson (T)	McLain	Pennington	Waggoner
Jones	Meade	Perloff	Weeks
Kilgore	Meeks	Pruitt	Williams
Laxson	Melton	Robertson	Wright
Lemley	Merrill	Sessions	Yeilding
Lybrand	Money	Slate	Young
Lyons			

—85

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Culver, Robertson, Bank and Brown:

H. J. R. 175. WHEREAS James Cooper, Auburn Extension Farm Agent, has rendered invaluable service to the people of Tuscaloosa County for more than twenty-one years, conducting a comprehensive educational program on conservation, supervising forestry and wildlife demonstrations, and promoting tours, camps, and schools; and

WHEREAS Mr. Cooper has also served as 4-H Club Agent for more than twenty-one years, with an annual enrollment of from 1200 to 1500 boys, many of whom have won awards and recognition both on the state and national level; and

WHEREAS Mr. Cooper, has, through his efforts, made the people of Tuscaloosa County ardent exponents of conservation, publicizing his cause through garden clubs, civic clubs, community clubs, schools, newspapers, radio, and television; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we extend to James Cooper our heartiest thanks and congratulations upon receiving the Governor's State Conservation Educator Award for 1969, sponsored by the Alabama Wildlife Federation.

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Mr. Cooper.

On motion of Mr. Culver, the rules were suspended and H. J. R. 175 was adopted.

Also:

By Messrs. Culver, Robertson, Bank and Brown:

H. J. R. 176. WHEREAS the Alabama Farm Bureau Women's Committee has been named "Conservation Organization Of The Year" by the Alabama Wildlife Federation; and

WHEREAS This dedicated and hard working group of ladies will receive the Governor's Conservation Achievement Award from Governor Albert Brewer at a banquet in Birmingham on September 6; and

WHEREAS Mrs. L. D. (Dot) Smith, chairman of the Women's Committee, has, through her leadership, devotion, and efficient co-ordination of the committee's many programs, helped in great measure to achieve this recognition of the committee's contribution to the cause of conservation, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That Mrs. Smith and the Women's Committee be heartily congratulated and commended for their achievement, and upon receiving such a well deserved award.

On motion of Mr. Culver, the rules were suspended and H. J. R. 176 was adopted.

Also:

By Messrs. Meeks, Weeks, Cook (Jefferson), House, Bowers, Gafford and Waggoner:

H. J. R. 177. WHEREAS Clarence M. Pinson, former president of the Jefferson County Commission, passed away in Jasper, Alabama, on Wednesday, September 3, 1969, to the great loss and sorrow of his family and his host of friends throughout the state; and

WHEREAS Mr. Pinson was universally esteemed and highly regarded for his decades of public service and his many contributions to the political, religious and civic affairs of Jefferson County and the State of Alabama; and

WHEREAS Mr. Pinson was long active as a Layman in the Methodist Church, working for the establishment of homes for retired ministers and their families, serving as the first chairman of the Board of Trustees of the Methodist Homes for the Aging from 1956 to 1967, and continuing as a Trustee through 1968; and

WHEREAS in tribute for his many services to the aging, the chapel at Fairhaven Methodist Home in Birmingham was recently named the Clarence M. Pinson Chapel; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we mourn the death of Clarence M. Pinson, and express our deepest and heartfelt sympathy to his family.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the family of Clarence M. Pinson.

On motion of Mr. Meeks, the rules were suspended and H. J. R. 177 was adopted.

BILLS ON THIRD READING

And the bill:

S. 252. To amend Act No. 812, H. 1282, Regular Session 1965, which authorizes the designation of voting centers and further provides for and regulates the manner of conducting elections in counties in this state having populations of not less than 300,000 nor more than 500,000 inhabitants according to the most recent federal decennial census.

Was taken up for reconsideration.

Mr. Downing offered the following substitute to the bill, S. 252:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 812, H. 1282, Regular Session 1965, which authorizes the designation of voting centers and further provides for and regulates the manner of conducting elections in counties in this state having populations of not less than 300,000 nor more than 500,000 inhabitants according to the most recent federal decennial census.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 6, 7 and 8 of Act No. 812, H. 1282, Regular Session 1965 (Acts of Alabama 1965, p. 1515), entitled "An Act to apply only in counties in the state having a population of not less than 300,000 nor more than 500,000 inhabitants, according to the last or any subsequent federal decennial census, wherein the use of voting machines has been, or shall be, authorized; to provide that the county governing body in regulating and providing for the use of voting machines in all elections in the county may, in the manner herein prescribed, designate a voting center in each ward or precinct within the county at which the qualified electors of the ward and precinct may vote, and prescribe the number of voting machines to be maintained at each voting center; to provide election officers for each voting center designated by the county governing body and prescribe the duties of such election officers," are amended to read as follows:

"Section 6. The inspector shall be in general charge of the polling place and he shall have the duty to see that all voting machines are enclosed inside a barrier which shall be provided by the authority in charge of the election. It shall be the further duty of the inspector to arrange the barrier so as to provide a single opening adjacent to the postion of chief clerk and first assistant clerk; to see that no one is inside the barrier at any one time other than the election officials, a single person inside each voting machine, and not more than three persons in a waiting position outside each voting machine. It shall be the further duty of the inspector to supervise the performance of the duties of the other election officials as hereinafter provided. Any person voting a challenged ballot shall sign under the supervision of the inspector or assistant inspector the poll list maintained at Voting Machine No. 1 at each voting center and the words 'challenged ballot' shall be entered following his name. All challenged ballots shall be deposited in the election supply box which shall be assigned to voting machine No. 1 and such box shall be securely locked at all times. The inspector or one of the election officials designated by him shall serve as returning officer for the voting center and shall perform the duties assigned to returning officers by the election laws of Alabama.

"Section 7. The chief clerk or his assistant shall check off the list of qualified voters the name of each person as he is permitted to enter the voting area. The voter shall be issued a voter identification card which shall at that time be initialed by the chief clerk or his assistant at the registration table and then presented by the voter to the assistant clerk in charge of the voting machine and surrendered to him before the voter enters the voting machine. The voter identification card shall thereupon be deposited in the election supply box or envelope assigned to that machine. The identification cards shall each have printed on them the words 'voter identification card', and the same shall contain a space in which shall be entered the initials of the election officer who delivers the card. Identification cards shall be procured by the same officer who procures other election supplies and shall be paid for from the same funds that the cost of other election supplies are paid. The assistant clerks in charge of the voting machines shall require that each voter sign at the machine a poll list before he is allowed to enter the machine to vote. The statement of canvass as required by law shall be made for each voting machine. On each statement of canvass form which the inspector certifies he shall show separately for each machine the total number of votes cast on that machine as shown by the public counters thereon, and the total number of electors' names recorded on the poll list under the supervision of the clerk in charge of such machine. He shall also show thereon the total number of votes cast at the voting center and the total number of electors' names recorded on all the poll lists there. A separate

poll list of persons casting challenged votes shall be kept by the officials and maintained at voting machine No. 1.

"Section 8. It shall be the duty of all election officials to see that order is maintained in the polling place, that all persons waiting in line remain outside the barrier until a waiting place at one of the voting machines is vacant, and to see that only persons authorized by law to do so enter the polling area inside the barrier which encloses the voting machines. The inspector shall see that the returns are filled out for each voting machine as required by law and that the records of the election relating to each machine, including the poll list and voter identification cards used for such machine, are enclosed respectively in the election supply box or envelope assigned to each machine, and that the list of qualified voters, challenged ballots, and one copy of each challenged oath and any other records relating to the election in general are enclosed in the election supply box assigned to voting machine No. 1. Immediately upon the enclosure of the required materials in the appropriate election supply envelope, each such envelope shall be securely sealed, identified on the outside thereof as to the particular voting machine to which it pertains, and shall be deposited in the election supply box assigned to voting machine No. 1, which shall thereupon be securely fastened and locked. It is the intent hereby that the pertinent documents for each voting machine other that voting machine No. 1 shall be sealed in their respective election supply envelopes and that all of such envelopes, identified as to their respective machines, shall be deposited in the election supply box assigned to voting machine No. 1, which shall also contain like documents pertinent to it and also the list of qualified voters, challenged ballots, one copy of each challenged oath and any other records relating to the election in general, and that the said election supply box shall thereupon be securely fastened and locked. The inspector of each polling place shall pick up the election supply box before the hour of voting and shall return same to the county court house after the polls have closed on election day, for which said inspector shall receive an additional ten dollars ($10.00) compensation."

Section 2. The provisions of this Act are severable. If any part is declared invalid such declaration shall not affect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Downing	Holman	Nettles
Bank	Drake	Jackson (F)	Owen (Baldwin)
Bassett	Edington	Jackson (T)	Owens (W.E.)
Beck	Fine	Jones	Pearson
Berryman (W)	Foshee	Laxson	Perloff
Blanton	Gafford	Lemley	Pruitt
Bolton	Garrett	Lybrand	Robertson
Brannan	Graham	Manley	Sessions
Burgess	Grainger	Marr	Slate
Cameron	Grayson	Mays	Snell
Cherner	Hain	McDonald	Stembridge
Collier	Hardin	McElhaney	Tuck
Collins (W)	Harper	Meade	Waggoner
Culver	Harris	Meeks	Weeks
Dill	Hobbie	Melton	Williams
Doss	Holladay	Merrill	Wright

—64

And the bill, S. 252, as thus amended, was again read a third time at length and passed.

Yeas 60; Nays 0.

Yeas:

Messrs.:	Downing	Jackson (T)	Nettles
Bank	Drake	Jones	Owen (Baldwin)
Bassett	Edington	Laxson	Owens (W.E.)
Beck	Foshee	Lemley	Perloff
Berryman (W)	Garrett	Lybrand	Pruitt
Blanton	Graham	Manley	Robertson
Bolton	Grainger	Marr	Sessions
Brannan	Grayson	Mays	Snell
Burgess	Hain	McCorquodale	Stembridge
Burgreen	Hardin	McElhaney	Tuck
Cameron	Harper	Meade	Waggoner
Collier	Harris	Meeks	Weeks
Collins (W)	Hobbie	Melton	Williams
Cook (Jefferson)	Holman	Merrill	Wright
Dill	Jackson (F)	Money	Young
Doss			

—60

RESOLUTION

The following resolution was introduced:

By Messrs. Pennington, Grainger, McLain, Jones and Laxson:

H. J. R. 178. WHEREAS, the Huntsville High School Band under the superior leadership of its director, William T. Sloan, and with the enthusiastic support and sponsorship of Huntsville High School principal, Barnett J. Gamble, and the Huntsville High School Band Parents Association, qualified to compete for the coveted Six Flags Over Georgia Concert Band trophy by winning the first division rating in concert performance at the Alabama State Festival in the Spring of 1968, and

WHEREAS, the Huntsville High School Band members and its supporters, encouraged and emboldened by its success in the State Band Festival, set as its goal becoming the best high school concert band in the south by winning the trophy awarded to the best high school concert band in the Six Flags Over Georgia Band Contest to be held in May 1969, and

WHEREAS, the members of the Huntsville High School Band, through their diligence, perseverance, self-discipline and talent, developed into the best high school concert band in the south, and

WHEREAS, the said William T. Sloan, as band director, exercised infinite judgment in the selection of music to be played at the contest, attuning the selections to the capabilities of the individual members of the Huntsville High School Band, and

WHEREAS, the Huntsville High School Band won the first place trophy as the best, most outstanding concert band in the Six Flags Over Georgia Contest held in Atlanta in May 1969, thus bringing honor and esteem to itself, to Huntsville High School and its officials, to the Huntsville High School Band Parents Association, and, indeed, to the entire State of Alabama, by winning this award and by its decorum during the contest.

NOW, THEREFORE, BE IT RESOLVED THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we congratulate each member of the Huntsville High School Band and Mr.

William T. Sloan, the director, for its demonstrated superiority, for the excellence of its performance, not only in the Six Flags Over Georgia Contest, but throughout the school year. We are truly and justly proud of this, the best high school concert band in the south and of the fine young Alabama citizens who participate in the band; we rejoice with them at having been accorded this signal honor which they truly earned and richly deserve.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Mr. Barnett J. Gamble, principal of Huntsville High School, a copy to Mr. William T. Sloan, Band Director, and a copy to the Huntsville Times and the Huntsville News.

On motion of Mr. Pennington, the rules were suspended and H. J. R. 178 was adopted.

BILLS ON THIRD READING RESUMED

And the bill:

S. 739. To alter, or rearrange the boundary lines of the Town of Hanceville, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lybrand	Perloff
Blanton	Ellis	Lyons	Pruitt
Bolton	Fine	Malone	Robertson
Brannan	Foshee	Manley	Sessions
Brassell	Garrett	Marr	Slate
Brown	Graham	Mathews	Snell
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Headley	Meeks	Williams
Cook (Coffee)	Higginbotham	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crane	Holladay	Money	Yeilding
Crawford	Holman	Nettles	Young
Culver	House	Neville	

—91

And the bill:

S. 643. To propose a constitutional amendment relative to levying additional taxes in Talladega County for public school purposes.

Was taken up.

Mr. Smith offered the following substitute to the bill, S. 643:

A BILL
TO BE ENTITLED
AN ACT

To propose a constitutional amendment relative to levying additional taxes in Talladega County for public school purposes.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed, and shall become valid as a part thereof when approved and proclaimed as prescribed by law:

Amendment

In addition to any taxes now authorized or that may be hereafter authorized by the Constitution and laws of Alabama, the several school districts of Talladega County shall have the power to levy and collect a special district tax of fifty cents on each one hundred dollars worth of taxable property in such districts for public school purposes; provided, that the time during which such tax is to continue and the purpose thereof shall have been first submitted to a vote of the qualified electors in each such district and voted for by a majority of those voting at such election, the election to be held in the same manner as provided by Code of Alabama 1940, Title 52, Chapter 10, Article 7 for an election on the school district tax authorized in Article XIX of the Constitution of Alabama. The funds arising from such special tax levied in any district which votes the same independently of the county shall be expended for the exclusive benefit of the district as the law may direct.

Section 2. An election upon the proposed amendment is ordered to be held on the same day as the first state-wide general, special, or primary election that is held after the expiration of three months from final adjournment of the 1969 Regular Session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1, Article 18, Title 17, Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

And the substitute was adopted.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Cameron	Downing	Harris
Agee	Cherner	Drake	Headley
Bank	Collier	Edington	Higginbotham
Bassett	Collins (C)	Ellis	Hobbie
Beck	Collins (W)	Fine	Holladay
Berryman (W)	Cook (Coffee)	Foshee	Holman
Blanton	Cook (Jefferson)	Garrett	House
Bolton	Crane	Graham	Jackson (F)
Brannan	Crawford	Grainger	Jackson (T)
Brassell	Culver	Grayson	Jones
Brown	Dill	Hain	Laxson
Burgess	Dobbs	Hardin	Lemley
Burgreen	Doss	Harper	Lybrand

Lyons	Meade	Pearson	Starnes
Malone	Meeks	Pennington	Stembridge
Manley	Melton	Perloff	Tuck
Marr	Merrill	Pruitt	Waggoner
Mathews	Money	Robertson	Weeks
Mays	Nettles	Sessions	Williams
McCorquodale	Neville	Slate	Wood
McDonald	Owen (Baldwin)	Smith	Wright
McElhaney	Owens (W)	Snell	Yeilding
McLain	Paulk	Springer	Young

—92

And the bill, S. 643, as thus amended, was read a third time at length and passed.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lybrand	Perloff
Blanton	Ellis	Lyons	Pruitt
Bolton	Fine	Malone	Robertson
Brannan	Foshee	Manley	Sessions
Brassell	Garrett	Marr	Slate
Brown	Graham	Mathews	Smith
Burgess	Grainger	Mays	Snell
Burgreen	Grayson	McCorquodale	Springer
Cameron	Hain	McDonald	Starnes
Cherner	Hardin	McElhaney	Stembridge
Collier	Harper	McLain	Tuck
Collins (C)	Harris	Meade	Waggoner
Collins (W)	Headley	Meeks	Weeks
Cook (Coffee)	Higginbotham	Melton	Williams
Cook (Jefferson)	Hobbie	Merrill	Wood
Crane	Holladay	Money	Wright
Crawford	Holman	Nettles	Yeilding
Culver	House	Neville	Young

—92

MOTION TO INDEFINITELY POSTPONE S. 841

On motion of Mr. Berryman (W), the bill, S. 841, was indefinitely postponed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Burgess	Culver	Graham
Agee	Burgreen	Dill	Grainger
Bank	Cameron	Dobbs	Grayson
Bassett	Cherner	Doss	Hain
Beck	Collier	Downing	Hardin
Berryman (W)	Collins (C)	Drake	Harper
Blanton	Collins (W)	Edington	Harris
Bolton	Cook (Coffee)	Ellis	Headley
Brannan	Cook (Jefferson)	Fine	Higginbotham
Brassell	Crane	Foshee	Hobbie
Brown	Crawford	Garrett	Holladay

Holman	Mathews	Neville	Springer
House	Mays	Owen (Baldwin)	Starnes
Jackson (F)	McCorquodale	Owens (W)	Stembridge
Jackson (T)	McDonald	Paulk	Tuck
Jones	McElhaney	Pearson	Waggoner
Laxson	McLain	Pennington	Weeks
Lemley	Meade	Perloff	Williams
Lybrand	Meeks	Pruitt	Wood
Lyons	Melton	Robertson	Wright
Malone	Merrill	Sessions	Yeilding
Manley	Money	Slate	Young
Marr	Nettles	Snell	

—91

And the bill:

S. 719. Relating to the practice of barbering in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law.

Was taken up.

Mr. Grainger offered the following amendment to the bill, S. 719:

In Section 13 strike out the sixth paragraph in its entirety.

And the amendment was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lybrand	Perloff
Blanton	Ellis	Lyons	Pruitt
Bolton	Fine	Malone	Robertson
Brannan	Foshee	Manley	Sessions
Brassell	Garrett	Marr	Slate
Brown	Graham	Mathews	Snell
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Headley	Meeks	Williams
Cook (Coffee)	Higginbotham	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crane	Holladay	Money	Yeilding
Crawford	Holman	Nettles	Young
Culver	House	Neville	

—91

And the bill, S. 719, as thus amended, was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lybrand	Perloff
Blanton	Ellis	Lyons	Pruitt
Bolton	Fine	Malone	Robertson
Brannan	Foshee	Manley	Sessions
Brassell	Garrett	Marr	Slate
Brown	Graham	Mathews	Snell
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Headley	Meeks	Williams
Cook (Coffee)	Higginbotham	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crane	Holladay	Money	Yeilding
Crawford	Holman	Nettles	Young
Culver	House	Neville	

—91

And the bill:

S. 856. Creating and establishing a county-wide personnel system at the option of the governing body of the county for all counties of the State of Alabama having a population of not less than 115,000 and not more than 165,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Was taken up.

Mr. Pennington offered the following substitute to the bill, S. 856:

A BILL
TO BE ENTITLED
AN ACT

Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 115,000 and not more than 165,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Be It Enacted by the Legislature of Alabama:

Section 1. (a) In each county of the state which has a population of not less than 115,000 people and not more than 165,000 people, according to the last federal decennial census, there is hereby created and established a personnel department for the government and control of all employees and appointees holding positions in the classified service, as defined in Section 4, of each such county.

(b) The Personnel Department shall consist of a Personnel Board and a Personnel Director. The Personnel Board shall consist of three members, one to be appointed as a joint appointee by the sheriff of said county, the Circuit Court Clerk, the County Judge and the District Attorney; one to be appointed by the county governing body; and one to be appointed as a joint appointee by the County Tax Assessor, the County Tax Collector, and the Probate Judge. Of the members appointed, the first board member appointed by the sheriff of said county, the Circuit Clerk, the County Judge and the District Attorney, shall serve for a term of six years, the first board member appointed by the county governing body shall serve for a term of four years and the first board member appointed by the County Tax Assessor, the County Tax Collector and the Probate Judge, shall serve for a term of two years. At the expiration of the term of each member, his successor shall be appointed for a term of six years. The terms of the first members of the board shall begin thirty days after the effective date of this act. Vacancies on the board shall be filled for the unexpired term by the same body appointing the predecessor in such vacancy.

(c) The members of the board shall be qualified electors of the county. No person shall be appointed to the board who holds any salaried public office or employment with the county, nor shall any member, while a member of the board or for a period of one year after he has ceased to be a member, be eligible for appointment to any salaried office or employment in the service of the county or any county elective office.

(d) The board shall hold one regular meeting each month and such special meetings as it shall deem necessary. The members of the board shall receive Fifteen ($15.00) Dollars per diem for each meeting of the board they attend. The board shall not meet in excess of thirty days per year; provided, however, that the time consumed by the personnel board in hearings conducted under the provisions of Section 10(b) of this Act shall not be counted as a part of said thirty days.

Section 2. The members of the board shall elect one of their members chairman. The board shall determine the order of business for the conduct of its meetings and shall meet on the call of the chairman or by two of the members or by request of the county governing body. Two members of the board shall constitute a quorum for the transaction of business. The functions of the board shall be:

(a) To formulate and promulgate a set of rules to supplement this Act and revisions and amendments thereof.

(b) To act in an advisory capacity to the governing body of the county on problems concerning personnel administration.

(c) As provided by this Act, and by rule, to hear and decide appeals submitted by any person in the classified service as set out in Section 10.

(d) In any investigation or hearing conducted by the board, it shall have the power to examine witnesses under oath and compel their attendance or the production of evidence before it by subpoenas issued in the name of the county. Each member of the board shall have the power to administer oaths to witnesses.

(e) To hold hearings on and adopt or revise the position classification plan. The board shall adopt a position classification plan and class specifications and revisions thereof, allocate and reallocate positions in the classified service to classes.

(f) To establish, after consultation with the governing body of the county and the elective officials of the county, coming within the provisions of this Act, a pay plan for all employees in the classified service. Such pay plan shall include, for each class of positions, a minimum and a maximum rate or rates as may otherwise in specific circumstances be fixed by law and such intermediate rates as may be deemed necessary or advisable by the Personnel Board; provided, however, that in the establishing of said pay plan for employees in the classified service and in the fixing of said minimum and maximum rates, the board may not reduce the salary or wage of any employee in the classified service below that which is being earned by said employee at the time of the enactment of this Bill into law unless said reduction is an economy measure or is part of a general curtailment program as specified in Section 10(c) of this Act.

Section 3. The Personnel Board shall appoint a Personnel Director whose duty it shall be to act in the capacity of director for the personnel system. The Personnel Director may be dismissed only for just cause by the Personnel Board and said dismissal shall be effected by the filing with the said Personnel Director of written statement specifying the reasons for such dismissal. The Personnal Director shall act as secretary at board meetings, and shall be the board's executive officer, but shall not have a vote in determining the board's policy. He shall perform such duties as are assigned to him by the board. The compensation of the Director shall be fixed by the county governing body. The Director shall:

(a) Attend all meetings of the Personnel Board.

(b) Administer all provisions of this Act and the rules established hereunder, not specifically reserved to the Personnel Board.

(c) Under the direction of the Board, prepare rules and revisions and amendments thereof for the consideration of the Board.

Section 4. The provisions of this Act shall apply to the following officers and employees in the service of the county:

(a) All employees of the county tax assessor;

(b) All employees of the county tax collector;

(c) All employees of the county sheriff;

(d) All employees of the Circuit Court Clerk;

(e) All employees of the Circuit Court Register;

(f) All employees of the County Court;

(g) All Assistant District Attorneys and all employees of the Circuit District attorney;

(h) The Director of the County License Department and all employees of the Director;

(i) Employees of the Board of Registrars' office;

(j) All employees of the Probate Judge's Office;

(k) All employees of the Circuit Court, excepting and not including Circuit Court Reporters and Bailiffs;

(l) All Probation Officers of the Circuit Court;

(m) All other officers and employees in the service of the county except:

(i) Elective officers;

(ii) Members of appointive boards, commissions and committees;

(iii) All employees or appointees of the county board of education, or persons engaged in the profession of teaching or in supervising teaching in the public schools;

(iv) Employees engaged in the construction or maintenance of roads and highways within the county;

(v) Attorneys, physicians, surgeons and dentists who, with the express or implied permission of any appointing authority or of the county, hold themselves out for employment by others in the same or a like line of work as that performed by them for such appointing authority;

(vi) The Personnel Director provided for by this Act;

(vii) Persons in the "classified service" within the meaning of and subject to the State of Alabama merit system under any present or future law, and so long as any such law remains effective;

(viii) The Register of the Circuit Court;

(ix) Circuit Court Reporters and Bailiffs.

Offices, positions and employments specifically designated above as coming within the scope of this Act, and other offices, positions and employments not exempted above, shall constitute the classified service of the county. It is intended hereby to include within the classified service all offices, postions and employments now existing, or as they may hereafter exist, in whole or in part from funds of any such county, or the holders of which receive their compensation from any elected official and perform duties pertaining to the office of such elected official or officer except those hereinabove exempted in this Section. It shall be mandatory, upon the enactment of this Bill into law, that all employees hereinbefore designated as included within the "classified service" of the county shall be so included.

Section 5. In addition to such other matters as may be necessary and proper to carry out the intent and purposes of this Act, rules shall be formulated and adopted by the Personnel Board, establishing specific procedures to govern the following phases of the personnel program:

(a) The preparation, installation, revision and maintenance of a position classification plan covering all positions in the classified service;

(b) The formulation of minimum standards and qualifications for each class of position;

(c) The evaluation of employees during the probationary period;

(d) The separation from the service of employees through layoff, suspension, dismissal, and for incapacity to perform required duties;

(e) The maintenance and use of necessary records and forms.

Section 6. During the period of suspension of any employee, or pending final action on proceedings to review the suspension, demotion or dismissal of an employee, the vacancy may be filled by the appointing power only by temporary appointment.

Section 7. All original and promotional appointments shall be for a probationary period of six months during which the employee may be rejected by the appointing authorities at any time without right of appeal or hearing in any manner.

Section 8. (a) Any persons holding a position or employment included in the classified service who, on the effective date of this Act, shall have served continuously in such position, or in some other position included in the classified service for a period of at least six months immediately prior to such effective date, shall assume regular status in the classified service in the position held on such effective date without preliminary examination or working tests and shall thereafter be subject in all respects to the provisions of this Act.

(b) Any other persons holding positions or employments in the classified service, shall be regarded as holding their positions or employments as probationers who are serving out the balance of their probationary periods before obtaining regular status.

Section 9. (a) The governing body of the county and any officer in whom is vested by law the power to hire, to employ, to make transfers, promotions, demotions, reinstatements, lay-offs, and to suspend or dismiss employees, shall retain such power, subject to the provisions of this Act and the rules established hereunder, it being the intent and spirit of this Act to provide a fair and just approach to county employment in order that employees may be promoted and retained on a merit basis, but in no sense to impair the efficiency of the public service. It is further the intent of this Act that positions with equivalent duties will receive equivalent pay.

(b) Any persons holding a position or employment in the classified service shall be subject to suspension without pay by the appointing power and without right of appeal, but such suspension shall not exceed a total of thirty days in any fiscal year.

Section 10. (a) No employee in the classified service may be demoted, dismissed or reduced in pay without just cause.

(b) Any employee in the classified service who has been demoted, dismissed or reduced in pay, shall be entitled to receive a written statement of the reasons for such action from the appointing authority within three working days, and he shall have three working days time thereafter within which to file an answer in writing thereto. A copy of such charges and answer shall be filed with the Personnel Director. In the event the employee files an answer, a copy of the written charges and of such answer shall be transmitted by the Personnel Director to the Personnel Board. Within ten working days from the date of the filing of his answer to the written charges, or in the event such written charges have not been made available to him within the time prescribed, then within ten working days after the action taken to demote, dismiss or reduce the pay of the employee, he may file a written demand with the Personnel Director, requesting a hearing before the Personnel Board. The board shall then investigate the case and conduct a hearing as provided by this Act and by the rules. Hearings shall be informally conducted and the rules of evidence need not apply.

(c) The provisions of this section shall not apply to reductions in pay which are part of a general plan to reduce salaries and wages as an ecomony measure or as part of a general curtailment program; provided, however, that said reductions in pay which are part of a general plan to reduce salaries and wages as an economy measure or as part of a general curtailment program shall be pro rated to all employees in the classified service.

(d) The action of the Personnel Board after hearing pursuant to this section shall be final and conclusive; provided, however, that the action of the Personnel Board pursuant to such hearing may be reviewed by the Circuit Court of the county upon the filing, by either the employee or the appointing authority, in said Circuit Court of the county of a petition for writ of mandamus directed to the said Personnel Board and provided that said petition is filed by the said employee or the said appointing authority within thirty days from the date the decision of the Personnel Board has been rendered. The Circuit Court of the county shall have jurisdiction to hear the case de novo in said mandamus proceeding.

Section 11. Whenever in the judgment of any appointing authority it becomes necessary in the interest of ecomony or because the necessity for any position in his appointing authority no longer exists, he may abolish any position in the classified service within his appointing authority and layoff the employee holding such position or employment without filing written charges and without the right to a hearing as provided in Section 10 of this Act.

Section 12. In any matter requiring the services of an attorney, the Personnel Board may call upon the county attorney of any such county to render such legal services to the board as it may deem necessary or advisable.

Section 13. The compensation and all other expenses of the Personnel Board, the Personnel Director and all others arising under the provisions hereof, shall be paid by the county governing body on requisition drawn by the Personnel Director.

Section 14. It is the intent of this Act to create a personnel system for the county effective upon the enactment of this Bill into law.

Section 15. Any persons who violates any of the provisions of this Act shall be guilty of a misdemeanor.

Section 16. Definitions. The terms "appointing authority" and "appointing power" are defined to mean any person, persons, department head or elected official of the county who, at the time of the enactment of this bill into law, has the power by law to hire, to employ, make transfers, promotions, demotions, reinstatements, lay-offs, suspensions and dismissals of employees affected by this Act.

Section 17. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 18. All laws or parts of laws, general, local or special, including laws pertaining to personnel salary or salary allowances, which conflict with this Act are repealed.

Section 19. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Bassett	Blanton	Brassell
Agee	Beck	Bolton	Brown
Bank	Berryman (W)	Brannan	Burgess

Burgreen	Garrett	Lyons	Pearson
Cameron	Graham	Malone	Pennington
Cherner	Grainger	Manley	Perloff
Collier	Grayson	Marr	Pruitt
Collins (C)	Hain	Mathews	Robertson
Collins (W)	Hardin	Mays	Sessions
Cook (Coffee)	Harper	McCorquodale	Slate
Cook (Jefferson)	Harris	McDonald	Snell
Crane	Headley	McElhaney	Springer
Crawford	Higginbotham	McLain	Starnes
Culver	Hobbie	Meade	Stembridge
Dill	Holladay	Meeks	Tuck
Dobbs	Holman	Melton	Waggoner
Doss	House	Merrill	Weeks
Downing	Jackson (F)	Money	Williams
Drake	Jackson (T)	Nettles	Wood
Edington	Jones	Neville	Wright
Ellis	Laxson	Owen (Baldwin)	Yeilding
Fine	Lemley	Owens (W)	Young
Foshee	Lybrand	Paulk	—91

And the bill, S. 856, as thus amended, was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lybrand	Perloff
Blanton	Ellis	Lyons	Pruitt
Bolton	Fine	Malone	Robertson
Brannan	Foshee	Manley	Sessions
Brassell	Garrett	Marr	Slate
Brown	Graham	Mathews	Snell
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Headley	Meeks	Williams
Cook (Coffee)	Higginbotham	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crane	Holladay	Money	Yeilding
Crawford	Holman	Nettles	Young
Culver	House	Neville	—91

And the bill:

S. 850. To propose an amendment to the Constitution of Alabama, relating to the levying and collection of special property tax for general health purposes in the counties of Lawrence, Limestone and Morgan, Alabama.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lybrand	Perloff
Blanton	Ellis	Lyons	Pruitt
Bolton	Fine	Malone	Robertson
Brannan	Foshee	Manley	Sessions
Brassell	Garrett	Marr	Slate
Brown	Graham	Mathews	Snell
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Headley	Meeks	Williams
Cook (Coffee)	Higginbotham	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crane	Holladay	Money	Yeilding
Crawford	Holman	Nettles	Young
Culver	House	Neville	

—91

And the bill:

S. 894. To amend Act No. 263, S. 410, Regular Session 1967 (Acts 1967, p. 743), an Act regulating further the sale and consumption of alcoholic beverages in all counties having populations of not less than 65,000 nor more than 95,000 according to the most recent federal decennial census, in order to provide further for places in which such beverages may be sold, to regulate further the rate of such tax, to authorize and provide for the use of stamps, crowns or decals to evidence payment of the tax levied by said Act, and to provide further for the enforcement of the Act and for the distribution and use of the proceeds thereof, and to prescribe additional penalties for violations of the Act.

Was taken up.

Mr. Bolton offered the following substitute to the bill, S. 894:

A BILL
TO BE ENTITLED
AN ACT

To amend Act No. 263, S. 410, Regular Session 1967 (Acts 1967, p. 743), an Act regulating further the sale and consumption of alcoholic beverages in all counties having populations of not less than 65,000 nor more than 95,000 according to the most recent federal decennial census, in order to provide further for places in which such beverages may be sold, to authorize and provide for the use of stamps, crowns or decals to evidence payment of the tax levied by said Act, and to provide further for the enforcement of the Act and prescribe additional penalties for violations of the Act, to provide additional taxation.

Be It Enacted by the Legislature of Alabama:

Section 1. Sections 3, 8, 9, 13, and 14 of Act No. 263, S. 410, Regular Session 1967 (Acts of 1967, p. 743), an Act regulating further the sale and consumption of alcoholic beverages in all counties having populations of

not less than 65,000 nor more than 95,000 according to the most recent federal decennial census, are hereby amended to read as follows:

"Section 3. It shall be unlawful for any person, firm, or corporation to sell or offer for sale any spirituous, vinous, or malt or brewed beverages in any county in which this Act applies except within the corporate limits and police jurisdiction of incorporated municipalities in said counties having a population of not less than 600 inhabitants according to the last or any subsequent federal decennial census; except to private clubs, as defined in Section 2 of this Act, and such private clubs may be located outside the corporate limits of municipalities, provided; however, such private clubs outside the corporate limits shall have at least 200 members."

"Section 8. It shall be unlawful for any malt or brewed beverages to be sold except in package from within the city limits or within the police jurisdiction of incorporated areas with a population of 600 or more persons or in private clubs located inside or outside such city limits, on premise consumption is permissible in private clubs as provided herein."

"Section 9. In addition to all other taxes and licenses now imposed by law, there is hereby levied a privilege or license tax on all persons, firms, and corporations, selling, distributing, or delivering to retailers within counties governed by this Act any malt or brewed beverage (including beer, lager beers, ale, porter, or similar fermented malt liquors containing one-half of one percent or more of alcohol by volume) which tax shall be in an amount equal to three cents ($.03) on each twelve (12) fluid ounces or fractional part thereof sold or distributed within the county. The payment of such tax shall be evidenced by stamps, crowns, or decals affixed to each bottle, can or other container thereof and cancelled in the manner prescribed by the county governing body. The county governing body shall provide such stamps, crowns or decals to evidence payment of the tax levied under this section and for the distribution thereof to the dealers and other sellers of malt or brewed beverages.

"Section 9 (a). In addition to all other taxes and licenses now imposed by law and under this act, there is hereby levied a privilege or license tax on all persons, firms, and corporations, selling, distributing, or delivering to retailers within counties governed by this act any malt or brewed beverages (including beer, lager beers, ale, porter, or similar fermented malt liquors containing one-half of one percent or more of alcohol by volume) an additional two cent ($.02) on each twelve (12) fluid ounces or fractional part thereof sold or distributed to private clubs as defined in Section 2 of Act No. 263, S. 410, Regular Session 1967 (Acts 1967, p. 743) within the county or counties to which this act applies. The provision as to the county governing body placing crowns, stamps, or decals to evidence payment of the three cents ($.03) tax levied under Section 9 hereof shall not apply where the sale is to any private club to which this act applies and as it relates to the additional two cents ($.02) tax; however, the additional two cents provided in Section 9-(a) may be collected by the county governing body in such manner as the county governing body deems necessary and advisable, included but not limited to, the placing of stamps, crowns, or decals to evidence payment of the tax as provided herein. The proceeds of the tax on malt or brewed beverages under this Section 9 (a) shall be paid into the county general fund and used exclusively for garbage and trash collection and other sanitary services.

"After the county governing body procures stamps, crowns, or decals to evidence payment of the tax hereby levied, it shall be unlawful to sell any malt or brewed beverages in such county unless stamps, crowns

or decals, evidencing the payment of the three cents ($.03) county tax are affixed. If any person, firm or corporation possesses more than five cases of such unstamped malt or brewed beverages, a presumption shall arise that such beverages are held for resale and such beverages may be confiscated in the same manner that beverage not bearing the proper Alabama tax stamps are confiscated and such person, firm or corporation that possesses more than the limit prescribed shall be punished in the manner prescribed for punishing violators of the prohibition law in dry counties, when it is found to be held for re-sale and in addition thereto the beverages so possessed shall be confiscated."

"Section 13. The county governing body of the county may provide rules and regulations and administrative machinery for the enforcement and collection of the privilege or license tax authorized by this Act. Each municipality within the county shall provide aid and assistance in enforcing the tax herein authorized within its territory. The county governing body may employ a person or persons and fix, prescribe and provide for the payment of their salaries and expenses out of funds derived from the tax hereby levied and paid into the general fund of the county, or from such other funds as the county governing body prescribes, to act as inspectors and otherwise to assist in the enforcement of the provisions of this Act. Such inspectors shall have the same powers relative to enforcement of the tax hereby levied that law enforcement officers employed by the Alabama Alcoholic Beverage Control Board have relative to enforcing the state tax on spirituous liquors and on malt and brewed beverages. Any municipality in any county in which a tax is levied under this Act may also employ a special alcoholic beverage law enforcement officer for such municipality whose chief duty shall be the enforcement of this Act. It shall also be the duty of agents of the Alabama Alcoholic Beverage Control Board and of the sheriff of the county and his deputies to enforce the provisions of this Act."

"Section 14. Any person, firm, or corporation who violates any provision of this Act or the rules and regulations as may be provided by the county governing body of the county shall be guilty of a misdemeanor and upon conviction shall be punished as prescribed by law. Each month such violation continues shall constitute a separate offense.

"Any person, firm or corporation who owns or operates a retail establishment, but is not licensed by the Alabama Alcoholic Beverage Control Board to sell malt or brewed beverages who has in his possession in such retail establishment more than three cases of beer or other malt or brewed beverages, shall be punished in the manner prescribed for punishing violators of the prohibition law in dry counties; and in addition thereto the beverages so possessed shall be confiscated."

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Bassett	Blanton	Brassell
Agee	Beck	Bolton	Brown
Bank	Berryman (W)	Brannan	Burgess

Burgreen	Garrett	Lyons	Pearson
Cameron	Graham	Malone	Pennington
Cherner	Grainger	Manley	Perloff
Collier	Grayson	Marr	Pruitt
Collins (C)	Hain	Mathews	Robertson
Collins (W)	Hardin	Mays	Sessions
Cook (Coffee)	Harper	McCorquodale	Slate
Cook (Jefferson)	Harris	McDonald	Snell
Crane	Headley	McElhaney	Springer
Crawford	Higginbotham	McLain	Starnes
Culver	Hobbie	Meade	Stembridge
Dill	Holladay	Meeks	Tuck
Dobbs	Holman	Melton	Waggoner
Doss	House	Merrill	Weeks
Downing	Jackson (F)	Money	Williams
Drake	Jackson (T)	Nettles	Wood
Edington	Jones	Neville	Wright
Ellis	Laxson	Owen (Baldwin)	Yeilding
Fine	Lemley	Owens (W)	Young
Foshee	Lybrand	Paulk	—91

And the bill, as thus amended, was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lybrand	Perloff
Blanton	Ellis	Lyons	Pruitt
Bolton	Fine	Malone	Robertson
Brannan	Foshee	Manley	Sessions
Brassell	Garrett	Marr	Slate
Brown	Graham	Mathews	Snell
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Headley	Meeks	Williams
Cook (Coffee)	Higginbotham	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crane	Holladay	Money	Yeilding
Crawford	Holman	Nettles	Young
Culver	House	Neville	—91

And the bill:

S. 896. Relating to counties having populations of not less than 41,000 nor more than 45,000 according to the most recent federal decennial census; providing further for the handling and use of the proceeds of gasoline excise taxes heretofore levied by the county governing bodies in any such counties.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lybrand	Perloff
Blanton	Ellis	Lyons	Pruitt
Bolton	Fine	Malone	Robertson
Brannan	Foshee	Manley	Sessions
Brassell	Garrett	Marr	Slate
Brown	Graham	Mathews	Snell
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Headley	Meeks	Williams
Cook (Coffee)	Higginbotham	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crane	Holladay	Money	Yeilding
Crawford	Holman	Nettles	Young
Culver	House	Neville	

—91

And the bill:

S. 897. Relating to counties having populations of not less than 46,500 nor more than 48,000, according to the most recent federal decennial census; and to fix the compensation of the solicitor of the law and equity courts in such counties; to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lybrand	Perloff
Blanton	Ellis	Lyons	Pruitt
Bolton	Fine	Malone	Robertson
Brannan	Foshee	Manley	Sessions
Brassell	Garrett	Marr	Slate
Brown	Graham	Mathews	Snell
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Headley	Meeks	Williams
Cook (Coffee)	Higginbotham	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crane	Holladay	Money	Yeilding
Crawford	Holman	Nettles	Young
Culver	House	Neville	

—91

And the bill:

S. 898. To amend Act No. 65, S. 97, of the Extra Session of 1936 (General and Local Acts, 1936, Local Acts Section, p. 34), which provides a fund for the support of a law library for the Circuit Court of Tuscaloosa County, so as to increase the trial taxes levied thereby and regulate further the expenditure of such fund.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lybrand	Perloff
Blanton	Ellis	Lyons	Pruitt
Bolton	Fine	Malone	Robertson
Brannan	Foshee	Manley	Sessions
Brassell	Garrett	Marr	Slate
Brown	Graham	Mathews	Snell
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Headley	Meeks	Williams
Cook (Coffee)	Higginbotham	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crane	Holladay	Money	Yeilding
Crawford	Holman	Nettles	Young
Culver	House	Neville	

—91

And the bill:

S. 900. Relating to Shelby County; authorizing any bank situated within the county to open, establish, operate and maintain branch banks, branch offices or other places of business within a certain area within said county.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Cherner	Edington	Hobbie
Agee	Collier	Ellis	Holladay
Bank	Collins (C)	Fine	Holman
Bassett	Collins (W)	Foshee	House
Beck	Cook (Coffee)	Garrett	Jackson (F)
Berryman (W)	Cook (Jefferson)	Graham	Jackson (T)
Blanton	Crane	Grainger	Jones
Bolton	Crawford	Grayson	Laxson
Brannan	Culver	Hain	Lemley
Brassell	Dill	Hardin	Lybrand
Brown	Dobbs	Harper	Lyons
Burgess	Doss	Harris	Malone
Burgreen	Downing	Headley	Manley
Cameron	Drake	Higginbotham	Marr

Mathews	Merrill	Perloff	Tuck
Mays	Money	Pruitt	Waggoner
McCorquodale	Nettles	Robertson	Weeks
McDonald	Neville	Sessions	Williams
McElhaney	Owen (Baldwin)	Slate	Wood
McLain	Owens (W)	Snell	Wright
Meade	Paulk	Springer	Yeilding
Meeks	Pearson	Starnes	Young
Melton	Pennington	Stembridge	—91

And the bill:

S. 905. To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lybrand	Perloff
Blanton	Ellis	Lyons	Pruitt
Bolton	Fine	Malone	Robertson
Brannan	Foshee	Manley	Sessions
Brassell	Garrett	Marr	Slate
Brown	Graham	Mathews	Snell
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Headley	Meeks	Williams
Cook (Coffee)	Higginbotham	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crane	Holladay	Money	Yeilding
Crawford	Holman	Nettles	Young
Culver	House	Neville	—91

And the bill:

S. 906. To fix the compensation of the Judge of Probate of Baldwin County, provide the method of payment thereof, provide for compensation of clerical assistants and the payment of their salaries, and provide for the operation of the office of the Judge of Probate of Baldwin County, Alabama.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Berryman (W)	Brown	Collier
Agee	Blanton	Burgess	Collins (C)
Bank	Bolton	Burgreen	Collins (W)
Bassett	Brannan	Cameron	Cook (Coffee)
Beck	Brassell	Cherner	Cook (Jefferson)

Crane	Harper	Mathews	Perloff
Crawford	Harris	Mays	Pruitt
Culver	Headley	McCorquodale	Robertson
Dill	Higginbotham	McDonald	Sessions
Dobbs	Hobbie	McElhaney	Slate
Doss	Holladay	McLain	Snell
Downing	Holman	Meade	Springer
Drake	House	Meeks	Starnes
Edington	Jackson (F)	Melton	Stembridge
Ellis	Jackson (T)	Merrill	Tuck
Fine	Jones	Money	Waggoner
Foshee	Laxson	Nettles	Weeks
Garrett	Lemley	Neville	Williams
Graham	Lybrand	Owen (Baldwin)	Wood
Grainger	Lyons	Owens (W)	Wright
Grayson	Malone	Paulk	Yeilding
Hain	Manley	Pearson	Young
Hardin	Marr	Pennington	—91

And the bill:

S. 907. Relating to counties having populations of not less than 15,500 nor more than 16,300; to provide for the election and qualifications of members of the board of revenue, court of county commissioners, or other like governing body of any such county.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lybrand	Perloff
Blanton	Ellis	Lyons	Pruitt
Bolton	Fine	Malone	Robertson
Brannan	Foshee	Manley	Sessions
Brassell	Garrett	Marr	Slate
Brown	Graham	Mathews	Snell
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Headley	Meeks	Williams
Cook (Coffee)	Higginbotham	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crane	Holladay	Money	Yeilding
Crawford	Holman	Nettles	Young
Culver	House	Neville	—91

And the bill:

S. 908. Relating to counties having populations of not less than 13,700 nor more than 14,300; to provide for the election and qualifications of members of the board of revenue, court of county commissioners, or other like governing body of any such county.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lybrand	Perloff
Blanton	Ellis	Lyons	Pruitt
Bolton	Fine	Malone	Robertson
Brannan	Foshee	Manley	Sessions
Brassell	Garrett	Marr	Slate
Brown	Graham	Mathews	Snell
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Headley	Meeks	Williams
Cook (Coffee)	Higginbotham	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crane	Holladay	Money	Yeilding
Crawford	Holman	Nettles	Young
Culver	House	Neville	

—91

And the bill:

S. 910. To amend Act No. 505, Section 453 of the Regular Session of 1963 (Acts, 1963, page 1087), which establishes and provides for the operation of the Cherokee County Court, amending Section 8, 12 and 14 of such Act, so as to transfer certain jurisdiction relative to juveniles from the probate court of Cherokee County to the Cherokee County Court, to provide further for the compensation of the judge.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lybrand	Perloff
Blanton	Ellis	Lyons	Pruitt
Bolton	Fine	Malone	Robertson
Brannan	Foshee	Manley	Sessions
Brassell	Garrett	Marr	Slate
Brown	Graham	Mathews	Snell
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Headley	Meeks	Williams
Cook (Coffee)	Higginbotham	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crane	Holladay	Money	Yeilding
Crawford	Holman	Nettles	Young
Culver	House	Neville	

—91

And the bill:

S. 911. Relating to the 31st Judicial Circuit; to provide supplemental compensation for circuit judges and the district attorney of such circuit in lieu of any and all other salary supplements heretofore authorized, so as to provide further for such compensation.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lybrand	Perloff
Blanton	Ellis	Lyons	Pruitt
Bolton	Fine	Malone	Robertson
Brannan	Foshee	Manley	Sessions
Brassell	Garrett	Marr	Slate
Brown	Graham	Mathews	Snell
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Headley	Meeks	Williams
Cook (Coffee)	Higginbotham	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crane	Holladay	Money	Yeilding
Crawford	Holman	Nettles	Young
Culver	House	Neville	—91

And the bill:

S. 821. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing an expense allowance for the director of the personnel department in any such county.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Collins (C)	Garrett	Jones
Agee	Collins (W)	Graham	Laxson
Bank	Cook (Coffee)	Grainger	Lemley
Bassett	Cook (Jefferson)	Grayson	Lybrand
Beck	Crane	Hain	Lyons
Berryman (W)	Crawford	Hardin	Malone
Blanton	Culver	Harper	Manley
Bolton	Dill	Harris	Marr
Brannan	Dobbs	Headley	Mathews
Brassell	Doss	Higginbotham	Mays
Brown	Downing	Hobbie	McCorquodale
Burgess	Drake	Holladay	McDonald
Burgreen	Edington	Holman	McElhaney
Cameron	Ellis	House	McLain
Cherner	Fine	Jackson (F)	Meade
Collier	Foshee	Jackson (T)	Meeks

Melton	Paulk	Slate	Weeks
Merrill	Pearson	Snell	Williams
Money	Pennington	Springer	Wood
Nettles	Perloff	Starnes	Wright
Neville	Pruitt	Stembridge	Yeilding
Owen (Baldwin)	Robertson	Tuck	Young
Owens (W)	Sessions	Waggoner	

—91

And the bill:

S. 805. To fix the salary of the Clerk of any inferior State or County Court now having two judges in counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent federal decennial census and to regulate the payment thereof.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lybrand	Perloff
Blanton	Ellis	Lyons	Pruitt
Bolton	Fine	Malone	Robertson
Brannan	Foshee	Manley	Sessions
Brassell	Garrett	Marr	Slate
Brown	Graham	Mathews	Snell
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Headley	Meeks	Williams
Cook (Coffee)	Higginbotham	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crane	Holladay	Money	Yeilding
Crawford	Holman	Nettles	Young
Culver	House	Neville	

—91

And the bill:

S. 806. To further amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, Vol 1, p. 273), which relates to Mobile County.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Brassell	Cook (Coffee)	Drake
Agee	Brown	Cook (Jefferson)	Edington
Bank	Burgess	Crane	Ellis
Bassett	Burgreen	Crawford	Fine
Beck	Cameron	Culver	Foshee
Berryman (W)	Cherner	Dill	Garrett
Blanton	Collier	Dobbs	Graham
Bolton	Collins (C)	Doss	Grainger
Brannan	Collins (W)	Downing	Grayson

Hain	Lemley	Melton	Slate
Hardin	Lybrand	Merrill	Snell
Harper	Lyons	Money	Springer
Harris	Malone	Nettles	Starnes
Headley	Manley	Neville	Stembridge
Higginbotham	Marr	Owen (Baldwin)	Tuck
Hobbie	Mathews	Owens (W)	Waggoner
Holladay	Mays	Paulk	Weeks
Holman	McCorquodale	Pearson	Williams
House	McDonald	Pennington	Wood
Jackson (F)	McElhaney	Perloff	Wright
Jackson (T)	McLain	Pruitt	Yeilding
Jones	Meade	Robertson	Young
Laxson	Meeks	Sessions	—91

And the bill:

S. 654. To amend Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the Judge of Probate of said county (Acts 1955 v. 1, page 335) as last amended by an Act approved September 2, 1964, (Acts 1964 p 322).

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lybrand	Perloff
Blanton	Ellis	Lyons	Pruitt
Bolton	Fine	Malone	Robertson
Brannan	Foshee	Manley	Sessions
Brassell	Garrett	Marr	Slate
Brown	Graham	Mathews	Snell
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Headley	Meeks	Williams
Cook (Coffee)	Higginbotham	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crane	Holladay	Money	Yeilding
Crawford	Holman	Nettles	Young
Culver	House	Neville	—91

And the bill:

S. 615 (with amendment). To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Legislation No. 3, said Committee amendment being as follows:

Amend Section 1 ("Section 187) of Senate Bill 615 by striking the words "who shall receive a salary of (seventy-five hundred dollars

per annum)" wherever they appear and inserting in lieu thereof the following: "who shall receive a salary of seven thousand dollars per annum".

And the amendment was adopted.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lybrand	Perloff
Blanton	Ellis	Lyons	Pruitt
Bolton	Fine	Malone	Robertson
Brannan	Foshee	Manley	Sessions
Brassell	Garrett	Marr	Slate
Brown	Graham	Mathews	Snell
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Headley	Meeks	Williams
Cook (Coffee)	Higginbotham	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crane	Holladay	Money	Yeilding
Crawford	Holman	Nettles	Young
Culver	House	Neville	

—91

And the bill, S. 615, as thus amended, was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lybrand	Perloff
Blanton	Ellis	Lyons	Pruitt
Bolton	Fine	Malone	Robertson
Brannan	Foshee	Manley	Sessions
Brassell	Garrett	Marr	Slate
Brown	Graham	Mathews	Snell
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Headley	Meeks	Williams
Cook (Coffee)	Higginbotham	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crane	Holladay	Money	Yeilding
Crawford	Holman	Nettles	Young
Culver	House	Neville	

—91

And the bill:

S. 858. Relating to counties having populations of not less than 150,000 nor more than 300,000, according to the most recent federal decennial census; providing for participation of school lunchroom managers and assistants to such managers who are employed by the county board of education or a city board of education in such county in the Employees' Retirement System of Alabama; requiring the employing board of education to take such action as is required to bring such lunchroom managers and their assistants under the retirement system in the manner prescribed in Section 12 of Act No. 515, H. 93, of the Regular Session of 1945, as amended; and directing the county governing body to appropriate and pay out of county funds to the county board of education or a city board of education, as the case may be, the amounts needed to pay the employer's contributions to the retirement system.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lybrand	Perloff
Blanton	Ellis	Lyons	Pruitt
Bolton	Fine	Malone	Robertson
Brannan	Foshee	Manley	Sessions
Brassell	Garrett	Marr	Slate
Brown	Graham	Mathews	Snell
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Headley	Meeks	Williams
Cook (Coffee)	Higginbotham	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crane	Holladay	Money	Yeilding
Crawford	Holman	Nettles	Young
Culver	House	Neville	

—91

And the bill:

S. 903. To amend Section 3 of Act 324, Acts of Legislature, Regular Session 1923, as said act was amended by Act 469, Acts of Legislature, Regular Session 1931, by redefining the boundaries of the five districts of Madison County, Alabama.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Berryman (W)	Brown	Collier
Agee	Blanton	Burgess	Collins (C)
Bank	Bolton	Burgreen	Collins (W)
Bassett	Brannan	Cameron	Cook (Coffee)
Beck	Brassell	Cherner	Cook (Jefferson)

Crane	Harper	Mathews	Perloff
Crawford	Harris	Mays	Pruitt
Culver	Headley	McCorquodale	Robertson
Dill	Higginbotham	McDonald	Sessions
Dobbs	Hobbie	McElhaney	Slate
Doss	Holladay	McLain	Snell
Downing	Holman	Meade	Springer
Drake	House	Meeks	Starnes
Edington	Jackson (F)	Melton	Stembridge
Ellis	Jackson (T)	Merrill	Tuck
Fine	Jones	Money	Waggoner
Foshee	Laxson	Nettles	Weeks
Garrett	Lemley	Neville	Williams
Graham	Lybrand	Owen (Baldwin)	Wood
Grainger	Lyons	Owens (W)	Wright
Grayson	Malone	Paulk	Yeilding
Hain	Manley	Pearson	Young
Hardin	Marr	Pennington	—91

And the bill:

S. 902. To provide for the manner and procedure for the election of members and the chairman, president or presiding judge of boards of county commissioners, boards of revenue or like governing bodies in counties having a population of not less than 115,000 nor more than 165,000 according to the last federal decennial census and providing for their term of office and the time of their election.

Was read a third time at length and passed.

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jackson (T)	Owens (W)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lybrand	Perloff
Blanton	Ellis	Lyons	Pruitt
Bolton	Fine	Malone	Robertson
Brannan	Foshee	Manley	Sessions
Brassell	Garrett	Marr	Slate
Brown	Graham	Mathews	Snell
Burgess	Grainger	Mays	Springer
Burgreen	Grayson	McCorquodale	Starnes
Cameron	Hain	McDonald	Stembridge
Cherner	Hardin	McElhaney	Tuck
Collier	Harper	McLain	Waggoner
Collins (C)	Harris	Meade	Weeks
Collins (W)	Headley	Meeks	Williams
Cook (Coffee)	Higginbotham	Melton	Wood
Cook (Jefferson)	Hobbie	Merrill	Wright
Crane	Holladay	Money	Yeilding
Crawford	Holman	Nettles	Young
Culver	House	Neville	—91

MOTION TO BRING UP S. 12

On motion of Mrs. Collins (C), the rules were suspended and permission granted to bring up out of order the bill, S. 12.

Yeas 56; Nays 15.

Yeas:

Messrs.:	Drake	House	Owens (W.E.)
Bank	Edington	Jackson (T)	Pearson
Berryman (W)	Foshee	Jones	Pennington
Blanton	Graham	Laxson	Robertson
Brown	Grainger	Malone	Sessions
Burgess	Grayson	Mays	Slate
Cameron	Hain	McDonald	Smith
Cherner	Harper	McElhaney	Snell
Collier	Harris	McLain	Starnes
Collins (C)	Haygood	Meade	Stubbs
Collins (W)	Hill	Melton	Tuck
Culver	Hobbie	Money	Williams
Dill	Holladay	Nettles	Wright
Doss	Holman	Neville	Yeilding
Downing			—56

Nays:

Mr. Speaker	Cook (Jefferson)	Jackson (F)	McCorquodale
Adwell	Crawford	Lemley	Pruitt
Bassett	Ellis	Lyons	Stembridge
Burgreen	Fine	Mathews	—15

And the bill:

S. 12 (with substitute). Proposing an amendment to the Constitution of Alabama providing for annual sessions of the legislature and regulating the length of such sessions.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Judiciary, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama providing for annual sessions of the legislature and regulating the length of such sessions.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed and shall become valid as a part thereof when approved and proclaimed as prescribed by law:

Amendment

The legislature shall meet in regular session annually on the first Tuesday in May, or on such other day as may be prescribed by law and shall not remain in session longer than thirty-six legislative days in odd-numbered years or more than eighteen legislative days in even-numbered years. All business before either house or any standing committee thereof at the end of the short annual session may be resumed in the next annual session, provided that no business shall be carried over beyond the term for which the members were elected. The provisions of this Constitution in conflict herewith are hereby repealed.

Section 2. An election upon the proposed amendment is ordered to be held on the date of the general election next succeeding the final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1 Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

On motion of Mrs. Collins (C), the substitute reported by the Standing Committee on Judiciary was tabled.

Yeas 38; Nays 35.

Yeas:

Messrs.:	Ellis	Hobbie	Meade	
Beck	Foshee	Holman	Neville	
Burgess	Garrett	Jackson (F)	Owens (W.E.)	
Cameron	Gloor	Jones	Pearson	
Cherner	Graham	Lybrand	Snell	
Collins (C)	Grainger	Manley	Springer	
Collins (W)	Hain	Mays	Williams	
Culver	Harris	McCorquodale	Yeilding	
Dill	Haygood	McElhaney	Young	
Edington	Higginbotham	McLain		—38

Nays:

Mr. Speaker	Downing	Lyons	Perloff	
Bassett	Fine	Malone	Pruitt	
Berryman (W)	Gafford	Marr	Robertson	
Blanton	Hardin	Mathews	Sessions	
Brannan	Harper	McDonald	Starnes	
Burgreen	Headley	Melton	Stembridge	
Collier	Hill	Merrill	Tuck	
Cook (Coffee)	Jackson (T)	Nettles	Wright	
Crawford	Lemley	Owens (W)		—35

The following substitute to the bill, S. 12, was offered by Mrs. Collins (C):

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama providing for annual sessions of the legislature and regulating the length of such sessions.

Be It Enacted by the Legislature of Alabama:

Section 1. The following amendment to the Constitution of Alabama is proposed and shall become valid as a part thereof when approved and proclaimed as prescribed by law:

Amendment

The legislature shall meet in regular session annually on the second Tuesday in January, for all years except the first year of a legislative

term when the organizational session is held on the second Tuesday in January, in which year the Legislature shall meet in regular session on the first Tuesday in February, or on such other day as may be prescribed by law, and shall not remain in session longer than thirty-six legislative days in odd-numbered years or more than eighteen legislative days in even-numbered years. All business before either house or any standing committee thereof at the end of the short annual session may be resumed in the next annual session, provided that no business shall be carried over beyond the term for which the members were elected. The provisions of the Constitution in conflict herewith are hereby repealed.

Section 2. An election upon the proposed amendment is ordered to be held on the date of the general election next succeeding the final adjournment of the current session of the Legislature. The election shall be held in accordance with the provisions of Sections 284 and 285 of the Constitution of Alabama, as amended, and Chapter 1 Article 18, Title 17 of the Code of Alabama 1940.

Section 3. Notice of the election and of the proposed amendment shall be given by proclamation of the Governor, which proclamation shall be published once a week for four successive weeks next preceding the day appointed for the election in a newspaper in each county of the State. In every county in which no newspaper is published, a copy of the notice shall be posted at each courthouse and post office.

And the substitute was adopted.

Yeas 52; Nays 27.

Yeas:

Messrs.:	Dobbs	Haygood	McLain
Bank	Downing	Higginbotham	Nettles
Berryman (W)	Edington	Hill	Pearson
Blanton	Ellis	Holman	Pennington
Brannan	Foshee	House	Sessions
Burgess	Garrett	Jackson (F)	Smith
Cameron	Gloor	Jones	Snell
Cherner	Graham	Laxson	Springer
Collier	Grainger	Malone	Starnes
Collins (C)	Grayson	Manley	Williams
Collins (W)	Hain	Mays	Wright
Cook (Coffee)	Harper	McDonald	Yeilding
Culver	Harris	McElhaney	Young
Dill			—52

Nays:

Mr. Speaker	Gafford	Lyons	Neville
Agee	Hardin	Marr	Perloff
Bassett	Headley	Mathews	Pruitt
Beck	Hobbie	McCorquodale	Shumate
Burgreen	Jackson (T)	Meade	Stembridge
Crawford	Lemley	Melton	Watkins
Fine	Lybrand	Merrill	—27

Mr. Cherner offered the following amendment to the bill, S. 12, as amended:

Delete in Section 1 portion of first paragraph of "Amendment" which allows for carrying forward of proposed legislation in either house from the Short even year Session to the Long odd year Session.

And the amendment was adopted.

Yeas 83; Nays 1.

Yeas:

Mr. Speaker	Downing	House	Owens (W)
Agee	Drake	Jackson (F)	Paulk
Bassett	Edington	Jackson (T)	Pearson
Beck	Ellis	Jones	Pennington
Berryman (W)	Fine	Laxson	Perloff
Blanton	Foshee	Lemley	Pruitt
Bolton	Gafford	Lyons	Sessions
Brannan	Garrett	Malone	Smith
Burgess	Gloor	Manley	Snell
Burgreen	Graham	Marr	Springer
Cameron	Grainger	Mathews	Starnes
Cherner	Hain	Mays	Stembridge
Collier	Hardin	McCorquodale	Stubbs
Collins (C)	Harper	McDonald	Tuck
Collins (W)	Harris	McElhaney	Waggoner
Cook (Coffee)	Haygood	McLain	Watkins
Crawford	Headley	Melton	Williams
Culver	Higginbotham	Merrill	Wright
Dill	Hill	Nettles	Yeilding
Dobbs	Hobbie	Neville	Young
Doss	Holman	Owen (Baldwin)	—83

Nay: Mr. Grayson. —1

And the bill, S. 12, as thus amended, was read a third time at length and passed.

Yeas 72; Nays 9.

Yeas:

Messrs.:	Dobbs	Higginbotham	Owen (Baldwin)
Agee	Doss	Hill	Pearson
Bank	Downing	Hobbie	Pennington
Beck	Drake	Holman	Sessions
Berryman (W)	Edington	House	Shumate
Blanton	Ellis	Jackson (F)	Slate
Bolton	Foshee	Jackson (T)	Smith
Brannan	Garrett	Jones	Snell
Burgess	Gloor	Laxson	Springer
Burgreen	Graham	Lemley	Starnes
Cameron	Grainger	Lybrand	Stembridge
Cherner	Grayson	Malone	Stubbs
Collier	Hain	Mays	Tuck
Collins (C)	Hardin	McDonald	Waggoner
Collins (W)	Harper	McElhaney	Williams
Cook (Coffee)	Harris	McLain	Wright
Crawford	Haygood	Melton	Yeilding
Culver	Headley	Nettles	Young
Dill			—72

Nays:

Mr. Speaker	Manley	Meade	Owens (W)
Fine	McCorquodale	Neville	Pruitt
Lyons			—9

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the following Senate Bill:

S. 674. To regulate further the office of sheriff in this State; to prescribe the annual salaries of sheriffs of the several counties of the state classified on a population basis; to provide for operation of the sheriff's office on a salary basis; to provide for and regulate the collection of sheriffs' fees and the payment thereof into the county treasury; to repeal conflicting laws, general, local and special.

and has requested a Committee on Conference.

And the President and Presiding Officer of the Senate has appointed as Conferees on part of the Senate Messrs. Lindsey, Pierce and Morrow.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the House acceded to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 674.

And the Speaker named as a Committee of Conference on the part of the House Messrs. Cook (Coffee), Cook (Jefferson) and Bank.

BILLS ON THIRD READING RESUMED

And the bill:

S. 600. To amend Act No. 647, H. 437 of the Regular Session of 1959 (Acts, 1959, p. 1562) which creates judgeship number three in the Sixth Judicial Circuit and provides that circuit judge number three shall be ex-officio judge of all courts in such circuit as to juvenile and domestic relations matters, cases, hearings and proceedings and shall have exclusive jurisdiction thereof, amending such act in order to provide for appointing a judge for such matters, cases, hearings or proceedings when circuit judge number three is absent or for any reason incompetent to sit for such matter, case, hearing or proceeding or when the public welfare will be served by his not sitting therein.

Was read a third time at length and passed.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Doss	Holman	Owens (W)
Agee	Downing	Jackson (F)	Paulk
Bank	Drake	Jackson (T)	Pearson
Beck	Edington	Jones	Pennington
Berryman (W)	Ellis	Laxson	Perloff
Blanton	Fine	Lemley	Pruitt
Bolton	Foshee	Lybrand	Robertson
Brannan	Gafford	Lyons	Sessions
Brassell	Garrett	Malone	Snell
Burgess	Graham	Manley	Springer
Burgreen	Grainger	Marr	Starnes
Cameron	Grayson	Mathews	Stembridge
Collier	Hain	Mays	Stubbs
Collins (C)	Hardin	McCorquodale	Tuck
Collins (W)	Harper	McDonald	Waggoner
Cook (Coffee)	Harris	McLain	Williams
Crawford	Headley	Melton	Wright
Culver	Higginbotham	Merrill	Yeilding
Dill	Hill	Nettles	Young
Dobbs	Hobbie	Neville	

—79

And the bill:

S. 310. To amend Section 2 of Act No. 870, H. 200, Regular Session, 1961 (Acts of 1961, page 1365) entitled "An Act to amend Sections 1, 2, 6 and 9 of Act No. 343, approved August 20, 1957, entitled 'An Act to provide further for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services, or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board, bureau, commission, committee, institution, corporation, authority, or office and prescribing penalties.' "

Was read a third time at length and passed.

Yeas 69; Nays 4.

Yeas:

Mr. Speaker	Doss	Hobbie	Owen (Baldwin)
Agee	Downing	House	Owens (W)
Bank	Drake	Jackson (F)	Owens (W.E.)
Bassett	Ellis	Jones	Paulk
Beck	Fine	Laxson	Pearson
Berryman (W)	Foshee	Lemley	Pennington
Blanton	Garrett	Lybrand	Perloff
Bolton	Graham	Malone	Pruitt
Brannan	Grainger	Manley	Sessions
Brassell	Grayson	Mays	Snell
Burgess	Hain	McCorquodale	Springer
Burgreen	Hardin	McDonald	Starnes
Cameron	Harper	McElhaney	Stembridge
Collier	Harris	Meade	Stubbs
Crawford	Headley	Melton	Tuck
Culver	Higginbotham	Merrill	Williams
Dill	Hill	Neville	Young
Dobbs			—69

Nays:

Messrs.:			
Collins (W)	Lyons	Marr	Nettles
			—4

RESOLUTION

The following resolution was introduced:

By Messrs. Mathews and Fite:

H. J. R. 179. WHEREAS, the late Herman L. Nelson devoted over 45 years of dedicated and highly competent service to the Alabama Highway Department, and

WHEREAS Herman L. Nelson served as Director of the Alabama Highway Department under four Governors, namely, James E. Folsom, George C. Wallace, Lurleen B. Wallace, and Albert P. Brewer, and

WHEREAS Alabama's Highway Department and highways showed great progress and recorded outstanding advancement during his tenure of office, and

WHEREAS he was a Christian gentleman and devoted public servant,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Headquarters Building of the Alabama Highway Department located

in the Capitol Complex in Montgomery, Alabama, be designated "The Herman L. Nelson Highway Building," and that a plaque setting out the highlights of Herman L. Nelson's career and noting the name of the building be installed in the main lobby of this building with appropriate ceremonies, and

BE IT FURTHER RESOLVED That copies of this resolution be sent to the family of Herman L. Nelson.

On motion of Mr. Mathews, the rules were suspended and H. J. R. 179 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Goodwyn:

S. J. R. 110. WHEREAS, only 4 states, including Alabama, have municipal and county gasoline taxes; and

WHEREAS, 247 of the 250 city or municipal gasoline taxes in the United States are in Alabama; and

WHEREAS, only 18 of the nation's 3,068 counties now have local taxes on gasoline and 11 of these counties are located in Alabama; and

WHEREAS, studies revealed that the enactment of local gasoline taxes in Alabama up and above the 7¢ state tax and 4¢ federal tax create very difficult marketing conditions for the wholesale and retail oilmen and also create a great deal of confusion in the mind of the consumer who does not understand how these local taxes vary across the state,

NOW THEREFORE BE IT RESOLVED by the Senate of the State of Alabama, the House of Representatives Concurring, that the Legislative Council is hereby directed to make a detailed study to determine the effect of local city and county gasoline taxes on the motoring public, revenue for city and county governing bodies and the marketing conditions for wholesale and retail oilmen.

BE IT FURTHER RESOLVED, that the Legislative Council shall make such recommendations to the next Regular Session of the Alabama Legislature as it may deem necessary to correct any inequities existing as a result of local city and county gasoline taxes.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Jefferson), the House concurred in and adopted the S. J. R. 110 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 288. To create a retirement system for peace officers as defined herein; to create the Board of Commissioners of the Alabama Peace

Officers' Annuity and Benefit Fund and to establish the said Fund; to provide for the method of selection of the members of the said Board and their successors, and to fix their compensation; to provide for the organization and operation of the said Board and the employment of an executive director; to fix the maximum salary of such executive director, and to define his powers; to provide for the disposition of monies received by the said Fund, for the depositories therefor, and the investment thereof; to specify the powers of the said Board, and to require the maintenance of books and records; to define those eligible for benefits from the said Fund and the conditions precedent to and terms of service required for receipt of such benefits; to fix a monthly fee for each member of the said Fund and to provide for conditions of membership in the said Fund; to impose additional costs in all criminal and quasi criminal proceedings for the violation of laws of the state or municipal ordinances; to provide for the payment of such costs to the said Fund; to specify retirement, disability and death benefits for members of the said Fund and to establish the conditions precedent to the receipt of such benefits; to require that the Fund be operated on an actuarially-sound basis and that actuarial reports be regularly rendered; to provide for an adjustment of benefits in response to any such report; to provide for refunds of contributions by members; to provide for the military service and change of employment by members of the said Fund; to require semiannual reports and annual audits of the Fund; to make all rights, annuities and benefits subject to future change by the Legislature; to restrict the assignability of rights hereunder; to provide that the rights granted hereunder are cumulative to all other rights; to provide for the partial invalidity of any provision hereof, to make an appropriation for payment of the expenses of the said Board; and to provide for the effective date of this Act.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Downing, the House non-concurred in the Senate amendments to the bill, H. 288, and requested a Committee of Conference, said Senate amendments being as follows:

Amend Section 1 by deleting therefrom the definition of "Peace Officer" as therein contained, and substituting therefor the following:

"Peace Officer" means any person employed by the State, any political subdivision thereof, or any municipal corporation therein, who is required by the terms of his employment, whether such employment exists by virtue of election or appointment, to give his full time to the preservation of public order and the protection of life or property, or the detection of crime in the State, but shall not include any pardon, parole or probation officer, enforcement officer for Conservation laws, district attorney, assistant district attorney, assistant attorney general, commissioners, deputy commissioner, warden, guard or matron at any state prison, house of correction or place of confinement or persons convicted for violations of state offenses, or any municipal inspector."

Amend Section 9 so as to read as follows:

Section 9. Additional Court Costs Imposed; Disposition Thereof. In all criminal and quasi-criminal proceedings for the violation of laws of the State or municipal ordinances, except violations of State Conservation laws or regulations, which are tried in any court or tribunal in the State, wherein the defendant is adjudged guilty or pleads guilty or wherein a bond is forfeited and the result of the forfeiture is a final disposition of the case or wherein any penalty is imposed, there is hereby

imposed an additional cost of court in the amount of One Dollar ($1.00) for each moving traffic violation, Five Dollars ($5.00) in each such proceeding where the offense constitutes a misdemeanor and Ten Dollars ($10.00) in each such proceeding where the offense constitutes a felony. The amount of all such costs shall be remitted by the person or authority collecting the same to the Executive Director on the tenth day of each month next succeeding that in which the cost is paid. It shall be the duty of the clerk or other authority collecting the said court costs to keep accurate records of the amounts due to the Board for the benefit of the Fund hereunder.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Doss	Hobbie	Owens (W)
Adwell	Downing	Holladay	Owens (W.E.)
Agee	Drake	House	Pearson
Bank	Edington	Jackson (F)	Pennington
Bassett	Ellis	Jackson (T)	Perloff
Beck	Fine	Jones	Pruitt
Blanton	Foshee	Laxson	Robertson
Bolton	Gafford	Lemley	Sessions
Brannan	Garrett	Lyons	Slate
Brassell	Graham	Manley	Snell
Brown	Grainger	Marr	Springer
Burgess	Grayson	Mays	Stembridge
Burgreen	Hain	McCorquodale	Tuck
Collier	Hardin	McLain	Turnham
Collins (W)	Harper	Meade	Waggoner
Cook (Coffee)	Harris	Melton	Watkins
Cook (Jefferson)	Haygood	Money	Williams
Crawford	Headley	Nettles	Yeilding
Culver	Higginbotham	Neville	Young
Dill	Hill	Owen (Baldwin)	—79

The Speaker of the House named as the Committee of Conference on the part of the House Messrs. Downing, Hobbie and Mays.

MOTION TO BRING UP S. 8.

On motion of Mr. Smith, the rules were suspended and permission granted to bring up out of order the bill, S. 8.

Yeas 93; Nays. 0.

Yeas:

Mr. Speaker	Cook (Coffee)	Grainger	Jones
Adwell	Cook (Jefferson)	Grayson	Laxson
Agee	Crane	Hain	Lemley
Bank	Crawford	Hardin	Lybrand
Bassett	Culver	Harper	Lyons
Beck	Dill	Harris	Malone
Brannan	Doss	Haygood	Manley
Brassell	Downing	Headley	Marr
Brown	Drake	Higginbotham	Mays
Burgess	Edington	Hill	McCorquodale
Burgreen	Ellis	Hobbie	McDonald
Cameron	Fine	Holladay	McElhaney
Cherner	Foshee	Holman	McLain
Collier	Gafford	House	Meade
Collins (C)	Garrett	Jackson (F)	Melton
Collins (W)	Graham	Jackson (T)	Merrill

Money	Perloff	Snell	Waggoner
Nettles	Pruitt	Springer	Watkins
Neville	Robertson	Starnes	Weeks
Owen (Baldwin)	Sessions	Stembridge	Williams
Owens (W)	Shumate	Stubbs	Wright
Owens (W.E.)	Slate	Tuck	Yeilding
Pearson	Smith	Turnham	Young
Pennington			

—93

And the bill:

S. 8. To provide for the mandatory inspection of the slaughter of cattle, sheep, swine, goats, and equines, and poultry, and the preparation of the carcasses, parts thereof, meat and meat food products of such animals; solely for distribution in this State; for the regulation of related industries; for the cooperation with the United States Department of Agriculture; for quarantine, seizure, condemnation and destruction of carcasses, parts thereof and meat and poultry products; for promulgation of regulations; prohibiting certain acts relative to said meat and meat products, the preparation, transportation, labelling and distribution thereof, and providing penalties; the designation of the Commissioner of Agriculture and Industries of the State of Alabama as the supervising agency of the State of Alabama and the authorization of the said Commissioner and the Board of Agriculture and Industries of the State of Alabama to promulgate rules and regulations relating to all of the aforesaid.

Was taken up.

The following amendment was offered by Mr. House to the bill, S. 8:

Senate Bill No. 8 is hereby amended as follows:

Amend the title or caption of said bill by striking out the period (.) at the end of said title and insert in lieu thereof a semicolon (;) then add the following words: "and to make an appropriation for the purpose of carrying out the provisions of this Act".

Further amend said Senate Bill No. 8 by adding immediately after Section 33, the following:

"Section 34. There is hereby appropriated from any funds in the State Treasury not otherwise appropriated the sum of $200,000 for the fiscal year ending September 30, 1970, and the sum of $300,000 for the fiscal year ending September 30, 1971, to carry out the provisions of this Act which sums are to be expended by the Department of Agriculture and Industries for the payment of employees' salaries, equipment purchases and any other expenses necessary to carry out the provisions and requirements of this Act."

Further amend said bill by renumbering Sections "34" and "35" to Sections "35" and "36" respectively.

Further amend Senate Bill No. 8 by striking out subsection (1) of subsection (d) of Section 22 of said bill which said subsection (1) appears on page 12 of the bill and insert in lieu thereof the following:

"(1) In carrying out the provisions of this Act, the Commissioner may cooperate with all other branches of government, county and city, and with County and City Health Departments, or other agencies, and may conduct such examinations, investigations, and inspection as provided for in this Act, and as he determines practical through any officer or employee of the State or any city or county in the State qualified for such purpose. The Commissioner is also authorized and empowered to enter into contracts with any City or County Health Departments to

carry out the duties and requirements of this Act. Any City or County Health Department is also authorized and empowered to enter into contracts with the Commissioner for the purpose of meeting the requirements of this Act."

And the amendment was adopted.

Yeas 81; Nay 1.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Owens (W)
Adwell	Edington	Jones	Owens (W.E.)
Agee	Ellis	Laxson	Pearson
Bank	Fine	Lemley	Pennington
Bassett	Foshee	Lybrand	Pruitt
Beck	Gafford	Lyons	Robertson
Brannan	Garrett	Malone	Sessions
Brassell	Graham	Manley	Slate
Brown	Grainger	Marr	Smith
Burgess	Grayson	Mays	Snell
Burgreen	Hain	McCorquodale	Springer
Cameron	Hardin	McDonald	Starnes
Collier	Harper	McElhaney	Stembridge
Collins (W)	Harris	McLain	Tuck
Cook (Coffee)	Haygood	Meade	Waggoner
Cook (Jefferson)	Headley	Merrill	Watkins
Crawford	Higginbotham	Money	Williams
Culver	Hill	Nettles	Wright
Dill	Hobbie	Neville	Yeilding
Doss	House	Owen (Baldwin)	Young
Downing			—81

Nay: Mr. Melton. —1

And the bill, S. 8, as thus amended, was read a third time at length and passed.

Yeas 80; Nay 1.

Yeas:

Mr. Speaker	Doss	Holladay	Owen (Baldwin)
Adwell	Drake	House	Owens (W)
Agee	Edington	Jackson (F)	Owens (W.E.)
Bank	Ellis	Jones	Pearson
Bassett	Fine	Laxson	Pennington
Beck	Foshee	Lemley	Perloff
Brannan	Gafford	Lybrand	Pruitt
Brassell	Garrett	Lyons	Robertson
Brown	Graham	Malone	Sessions
Burgess	Grainger	Manley	Slate
Burgreen	Grayson	Marr	Smith
Cameron	Hain	Mays	Snell
Cherner	Hardin	McCorquodale	Springer
Collier	Harper	McDonald	Tuck
Collins (W)	Harris	McElhaney	Turnham
Cook (Coffee)	Haygood	McLain	Waggoner
Cook (Jefferson)	Headley	Meade	Williams
Crawford	Higginbotham	Merrill	Wright
Culver	Hill	Money	Yeilding
Dill	Hobbie	Neville	Young
			—80

Nay: Mr. Melton. —1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 28. To make it unlawful for a person to operate a motor vehicle loaded with gravel or other like substances in such manner that the contents of the vehicle spill out and endanger the property and safety of motorists and pedestrians, and to prescribe the punishment therefor.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Young moved to concur in and adopt the Senate amendment to the bill, H. 28, said Senate amendment being as follows:

Amend Section 1 of H. B. 28 as follows: On line 3, after the first comma, delete the words "or other like substances" and insert in lieu thereof the words "any other substances".

SUBSTITUTE MOTION TO NON-CONCUR

On a substitute motion of Mr. House, the House non-concurred in the Senate amendment to the bill, H. 28, as set out in the foregoing Message from the Senate, and requested a Committee of Conference.

Yeas 71; Nays 3.

Yeas:

Mr. Speaker	Dobbs	Laxson	Perloff	
Adwell	Doss	Lemley	Pruitt	
Agee	Downing	Lyons	Robertson	
Bassett	Edington	Malone	Sessions	
Beck	Ellis	Manley	Shumate	
Berryman (W)	Fine	Marr	Slate	
Blanton	Graham	Mathews	Smith	
Brannan	Grainger	McCorquodale	Snell	
Brassell	Grayson	McDonald	Springer	
Burgess	Hain	Melton	Starnes	
Cameron	Hardin	Merrill	Stembridge	
Collier	Harper	Money	Stubbs	
Collins (C)	Harris	Nettles	Tuck	
Collins (W)	Higginbotham	Owen (Baldwin)	Waggoner	
Cook (Coffee)	Hobbie	Owens (W.E.)	Williams	
Cook (Jefferson)	House	Paulk	Yeilding	
Crawford	Jackson (T)	Pearson	Young	
Dill	Jones	Pennington		—71

Nays: Messrs. Garrett, Neville and Turnham. —3

The Speaker of the House named as the Committee of Conference on the part of the House Messrs. Young, Cook (Jefferson) and House.

BILLS ON THIRD READING RESUMED

And the bill:

S. 778. To repeal Act No. 175, S. 387 of the Regular Session of 1969, which provides for abatement of ad valorem taxes on property acquired by condemnation or otherwise by the State of Alabama or any agency or instrumentality thereof.

Was read a third time at length and passed.

Yeas 83; Nay 1.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Pennington
Adwell	Doss	Jones	Perloff
Agee	Downing	Laxson	Pruitt
Bassett	Drake	Lemley	Robertson
Beck	Edington	Lyons	Sessions
Berryman (W)	Ellis	Malone	Slate
Blanton	Fine	Manley	Smith
Brannan	Gafford	Marr	Snell
Brassell	Garrett	Mays	Springer
Brown	Graham	McCorquodale	Starnes
Burgess	Grainger	McDonald	Stembridge
Cameron	Grayson	Meade	Stubbs
Cherner	Hain	Melton	Tuck
Collier	Hardin	Merrill	Turnham
Collins (C)	Harper	Money	Watkins
Collins (W)	Harris	Nettles	Weeks
Cook (Coffee)	Haygood	Neville	Williams
Cook (Jefferson)	Headley	Owen (Baldwin)	Wright
Crawford	Higginbotham	Owens (W)	Yeilding
Culver	Hobbie	Owens (W.E.)	Young
Dill	House	Pearson	—83

Nay: Mr. McLain. —1

MOTION TO BRING UP S. 649

On motion of Mr. Brannan, the rules were suspended and permission granted to bring up out of order the bill, S. 649.

Yeas 73; Nays 7.

Yeas:

Mr. Speaker	Culver	Hobbie	Owen (Baldwin)
Agee	Dobbs	House	Owens (W.E.)
Bank	Doss	Jones	Paulk
Bassett	Downing	Laxson	Pearson
Beck	Drake	Lemley	Pennington
Berryman (W)	Edington	Lyons	Perloff
Blanton	Ellis	Manley	Pruitt
Brannan	Fine	Marr	Robertson
Brassell	Garrett	Mathews	Slate
Brown	Graham	Mays	Smith
Burgess	Grainger	McCorquodale	Snell
Burgreen	Grayson	McElhaney	Springer
Cameron	Hain	McLain	Stembridge
Collier	Hardin	Meade	Stubbs
Collins (C)	Harper	Melton	Tuck
Collins (W)	Harris	Merrill	Waggoner
Cook (Coffee)	Headley	Nettles	Weeks
Cook (Jefferson)	Higginbotham	Neville	Williams
Crawford			—73

Nays:

Messrs.:	Jackson (T)	McDonald	Turnham
Dill	Malone	Starnes	Wright
			—7

And the bill:

S. 649. To further amend Section 1 of Act No. 87, S. 112, Regular Session of 1961, as amended by Act No. 244, S. 143, Special Session of 1966 (Acts of 1961, Vol. 2, p. 2004, and Acts of 1966, Special Sess. p. 366) "An Act to prescribe the salary or compensation of the Commissioner of Agriculture and Industries."

Was read a third time at length and passed.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Owens (W.E.)
Agee	Doss	Jones	Paulk
Bank	Downing	Laxson	Pearson
Bassett	Drake	Lemley	Pennington
Beck	Edington	Lyons	Perloff
Berryman (W)	Ellis	Malone	Pruitt
Blanton	Fine	Manley	Robertson
Brannan	Garrett	Marr	Slate
Brassell	Graham	Mathews	Smith
Brown	Grainger	Mays	Snell
Burgreen	Grayson	McCorquodale	Springer
Cameron	Hain	McLain	Stembridge
Cherner	Hardin	Meade	Stubbs
Collier	Harper	Melton	Tuck
Collins (W)	Harris	Merrill	Turnham
Cook (Coffee)	Headley	Money	Waggoner
Cook (Jefferson)	Higginbotham	Nettles	Williams
Crawford	Hobbie	Neville	Wright
Culver	Holladay	Owen (Baldwin)	Young
Dill	House		—78

And the bill:

S. 749. To amend Section 712, Title 51, Code of Alabama, as amended, relative to the maintenance of the records of motor vehicle registration.

Was read a third time at length and passed.

Yeas 75; Nays 1.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Owens (W)
Agee	Downing	Jones	Owens (W.E.)
Bank	Drake	Laxson	Paulk
Bassett	Edington	Lemley	Pearson
Beck	Ellis	Lybrand	Pennington
Berryman (W)	Fine	Lyons	Perloff
Blanton	Foshee	Malone	Pruitt
Brannan	Garrett	Manley	Robertson
Brassell	Graham	Marr	Sessions
Brown	Grainger	Mays	Shumate
Burgreen	Grayson	McCorquodale	Slate
Cameron	Hain	McElhaney	Smith
Collier	Hardin	Meade	Snell
Collins (W)	Harris	Melton	Springer
Cook (Coffee)	Haygood	Merrill	Stembridge
Cook (Jefferson)	Headley	Money	Stubbs
Crawford	Higginbotham	Nettles	Wright
Culver	Hill	Neville	Yeilding
Dill	Hobbie	Owen (Baldwin)	—75

Nay: Mr. Cherner. —1

And the bill:

S. 378. To provide for the delineation and designation of state planning and development districts and to authorize the governing bodies of counties and municipalities to establish regional planning and development commissions compatible with such state districts.

Was taken up.

Mr. Ellis offered the following amendment to the bill, S. 378:

Amend Subsection (a) of Section 4 by adding the following word at the end of said subsection (a) "This section shall not apply to any counties which have formed any regional planning commission."

The motion of Mr. Wright that the amendment offered by Mr. Ellis to the bill, S. 378, be tabled was lost.

Yeas 38; Nays 40.

Yeas:

Mr. Speaker	Drake	Lyons	Owens (W.E.)
Agee	Fine	Malone	Pearson
Bassett	Foshee	Manley	Pennington
Beck	Hain	McCorquodale	Smith
Bolton	Hardin	McElhaney	Snell
Brassell	Headley	McLain	Springer
Cameron	Higginbotham	Meade	Tuck
Cook (Coffee)	Hobbie	Nettles	Waggoner
Crawford	Jackson (F)	Owens (W)	Wright
Culver	Lemley		

—38

Nays:

Messrs.:	Dobbs	Hill	Perloff
Bank	Downing	Holladav	Pruitt
Berryman (W)	Edington	House	Robertson
Brannan	Ellis	Jackson (T)	Sessions
Brown	Gafford	Jones	Shumate
Burgreen	Garrett	Laxson	Stubbs
Cherner	Gloor	Marr	Turnham
Collier	Graham	Mays	Watkins
Cook (Jefferson)	Grayson	Neville	Weeks
Crane	Harris	Paulk	Yeilding
Dill			

—40

And the amendment offered by Mr. Ellis was adopted.

Yeas 53; Nays 20.

Yeas:

Messrs.:	Downing	Kilgore	Perloff
Adwell	Ellis	Laxson	Robertson
Agee	Gafford	Marr	Sessions
Bank	Gloor	Mays	Shumate
Bassett	Graham	McDonald	Smith
Berryman (W)	Hardin	McLain	Snell
Brown	Harris	Melton	Starnes
Burgreen	Higginbotham	Nettles	Stubbs
Cherner	Hill	Neville	Turnham
Collier	Holladay	Owens (W)	Waggoner
Cook (Jefferson)	House	Paulk	Watkins
Crane	Jackson (F)	Pearson	Weeks
Dill	Jackson (T)	Pennington	Yeilding
Dobbs	Jones		

—53

Nays:

Mr. Speaker	Drake	Hobbie	Meade
Beck	Edington	Lemley	Owens (W.E.)
Cameron	Fine	Lyons	Springer
Cook (Coffee)	Garrett	Malone	Stembridge
Crawford	Headley	McCorquodale	Wright

—20

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 536. To further amend Section 1 of Act No. 936, H. 652, Regular Session of 1951 Acts of the Legislature of Alabama, Page 1605, an Act relating to Supernumerary Circuit Judges, so as to fix their annual compensation and to regulate further their compensation while actively performing the duties of a Circuit Judge.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 748. Relating to state parks, memorials and historical sites; establishing the Tannehill Furnace and Foundry Commission as a state agency to acquire, renovate, maintain and exhibit the old Tannehill Furnace in the County of Tuscaloosa; and to establish, create, manage, control and operate a state memorial park for the exhibition of this old furnace and the processes of iron making and for other related purposes; prescribing the authority, powers, duties and functions of the commission and its members and officers; forbidding members of the commission or employees thereof to engage in certain dealings with the commission and prescribing penalties therefore; and making an appropriation.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

H. 621. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 27, Nays 0.

And said Bill, H. B. 621, as thus amended by the Executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 27, Nays 0.

And said Bill, H. B. 621, as thus amended by the Executive Amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 853. To alter, rearrange and extend the boundary lines and corporate limits of the town of Detroit in Lamar County.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 174. Congratulating Representative Frank "Pig" House on his success in organizing and administering the first Alabama Sports Hall of Fame.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 862. To amend Section 5 of Act #226, Acts of Alabama, 1959, Page 765, to provide that the City of Gadsden shall pay into the Policemen's and Firemen's Retirement fund an amount equal to nine (9%) per cent of the salary of each member of the police and fire departments and to provide that each such member shall pay into said fund an amount equal to four and one-half (4½%) per cent of his monthly salary; and to provide that a person must hold a position for three (3) years just before retirement or his percentage of pension shall be averaged as provided herein.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to request the House to return to the Senate for further consideration the Bill:

H. 822. To amend the title and Section 1 of Act No. 821 of the 1965, Regular Session of the Legislature of Alabama, regulating the fluoridation of water supplies in counties having a population of 400,000 according to the last or any succeeding federal census.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the House acceded to the request of the Senate for the return of the bill, H. 822, to the Senate for further consideration.

And said bill was forthwith returned to the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 237. To create a Court of Criminal Appeals and a Court of Civil Appeals; to provide for the jurisdiction of each; to provide for appeals to said courts; to provide for the transfer of cases between the courts and between them and the Supreme Court; to provide for the reporting of the decisions, the terms of court, law clerks for each of the judges, the salaries of the judges, their place of residence, that the members of the Criminal Court of Appeals shall be the same members as the former Court of Appeals; providing for the appointment by the governor of the members of the Civil Court of Appeals to staggered terms, providing for supernumerary judges of said courts, for a clerk of said courts and his duties, and for other clerical assistance and for a review by certiorari of the decisions of said courts and to make appropriations therefor.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 536. To further amend Section 1 of Act No. 936, H. 652, Regular Session of 1951 Acts of the Legislature of Alabama, Page 1605, an Act relating to Supernumerary Circuit Judges, so as to fix their annual compensation and to regulate further their compensation while actively performing the duties of a Circuit Judge.

Also:

S. 726. Relating to all counties having populations of not less than 18,000 nor more than 19,000, according to the most recent federal decennial census; to provide an expense allowance for the chairman and members of the governing body in such counties; to repeal conflicting laws.

Also:

S. 748. Relating to state parks, memorials and historical sites; establishing the Tannehill Furnace and Foundry Commission as a state agency to acquire, renovate, maintain and exhibit the old Tannehill Furnace in the County of Tuscaloosa; and to establish, create, manage, control and operate a state memorial park for the exhibition of this old furnace and the processes of iron making and for other related purposes; prescribing the authority, powers, duties and functions of the commission and its members and officers; forbidding members of the commission or employees thereof to engage in certain dealings with the commission and prescribing penalties therefor; and making an appropriation.

Also:

S. 825. Relating to counties having populations of not less than 76,000 nor more than 96,000, according to the most recent federal decennial census; providing for the payment by such counties of the salary and expenses of an investigator appointed by the district attorney of the judicial circuits in which such counties are located.

Also:

S. 826. To alter or re-arrange the boundaries of the Town of Cottonwood, Houston County, Alabama, so as to include within the corporate limits of said town all territory within such corporate limits and also certain other territory contiguous thereto.

Also:

S. 832. To regulate the compensation of jurors in counties having populations of not less than 15,500 nor more than 16,300.

Also:

S. 840. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 5, Township 15 North, Range 18 East, Montgomery County, Alabama.

Also:

S. 843. To provide for Supernumerary Clerks of the Circuit Courts and Registers of said Courts in Equity, in Counties having a population of not less than 150,000 nor more than 300,000 persons, describing their duties, setting up the requirements and qualifications, fixing their compensation, status and tenure of office and providing for the payment of their salaries.

Also:

S. 852. To alter, rearrange and extend the boundary lines and corporate limits of the City of Fayette in Fayette County.

Also:

S. 853. To alter, rearrange and extend the boundary lines and corporate limits of the town of Detroit in Lamar County.

Also:

S. 857. To regulate further fees of justices of the peace in all counties having populations of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census; and to provide that in lieu of justices' fees in criminal cases in such counties for the collection by justices of the peace of a fixed charge per case in all criminal cases, all of which must be remitted to the state, and for the payment by the state of compensation to justices of the peace for all their services pertaining to criminal cases tried in their respective courts on the basis of their case loads.

Also:

S. 859. Authorizing the Board of County Commissioners or like governing body of Madison County, Alabama to appropriate and pay county funds to volunteer nonprofit fire departments and volunteer nonprofit corporations or organizations, organized for the purpose of providing volunteer service in emergency situations arising in said Madison County, for the purchase of equipment, materials and supplies.

Also:

S. 860. To amend Act No. 23, H. 109, Special Session 1964 (Acts First and Second Special Session 1964, p. 44) as said act was amended by Act No. 659, H. 802, Regular Session 1967 (Acts, Organizational, Special Regular Sessions 1967, Vol. II p. 1482) an act applying only in counties having a population of not less than 110,000 nor more than 160,000 ac-

cording to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties.

Also:

S. 862. To amend Section 5 of Act #226, Acts of Alabama, 1959, Page 765, to provide that the City of Gadsden shall pay into the Policemen's and Firemen's Retirement fund an amount equal to nine (9%) percent of the salary of each member of the police and fire departments and to provide that each such member shall pay into said fund an amount equal to four and one-half (4½%) per cent of his monthly salary; and to provide that a person must hold a position for three (3) years just before retirement or his percentage of pension shall be averaged as provided herein.

Also:

S. 863. To alter and rearrange the boundaries between the City of Gadsden and the City of Glencoe so as to detach certain territory from the City of Glencoe and annex the same to the City of Gadsden.

Also:

S. 864. Relating to the Fourth Judicial Circuit; providing for a supplemental salary to be paid from Dallas County funds to the associate circuit judge residing in said county.

Also:

S. 867. To authorize the creation of a public corporation in Madison County, Alabama, which shall have the power to construct, lease, build, install, acquire, own, operate, maintain, equip, use and control marinas, ports, waterfront facilities, docks, wharves, piers, berths, quays, warehouses, industrial sites, industrial and factory buildings and the necessary or convenient approaches, easements, roads, streets and ways leading thereto or used in conjunction therewith; to prescribe the duties and powers of such public corporation, including but not limited to, the power to enter into contracts or agreements with persons, firms or corporations, public or private, with the United States of America or with any of its agents or departments as well as with the various states and the subdivisions and municipal corporations created thereby; to authorize the issuance of revenue bonds and revenue refunding bonds payable from the revenues of authorized projects, to pay the cost of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; and providing that no debt of a state, political subdivision thereof or of any municipality created thereby shall be incurred in the exercise of any of the powers granted by this act.

Also:

S. 868. To amend further Act No. 658, H. 1030, approved November 21, 1959, as amended by Act No. 124, S. 28, Acts of Alabama 1961, p. 2047 and as further amended by Act No. 173, H. 296, approved July 30, 1965, Acts of Alabama 1965, p. 243, an act providing for a privilege license or excise tax in Madison County on the sale, distribution, storage, use or other consumption in the county of cigarettes.

Also:

S. 869. To amend further Act No. 476, H. 627, Regular Session 1955 (Acts 1955 v. 11 p. 1084) as said act was amended by Act No. 276, H. 346, Acts of Alabama, Special Session 1966, p. 419, approved September 9, 1966, an act creating the office of Deputy Circuit Solicitor in the Twenty-

third Judicial Circuit; and providing for his appointment, duties and compensation.

Also:

S. 871. Relating to counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census; to authorize the county governing body of each such county to provide for the payment of certain expenses heretofore incurred by certain county officers of the county and to validate certain payments heretofore made by such county governing bodies.

Also:

S. 884. To repeal Act No. 663, H. 902, Regular Session 1967 (Acts 1967, p. 1485), an Act providing for the payment into the general fund of Morgan County of all fees collected as solicitors' fees in the Morgan County Court.

Also:

S. 892. Relating to counties having populations of not less than 55,000 nor more than 60,000, according to the most recent federal decennial census; and providing for direct distribution to certain municipalities within such counties of their proportionate share of gasoline tax proceeds allocated for municipalities in such counties.

Also:

S. J. R. 88. Thanking the Legislative Reference Service for an excellent job.

Also:

S. J. R. 90. Mourning the death of Sam M. Johnston.

Also:

S. J. R. 91. Mourning the death of Mrs. C. M. A. Rogers.

Also:

S. J. R. 92. Expressing appreciation to all those who have helped with restoring order to the lives of Alabama residents in the area stricken by Hurricane Camille.

Also:

S. J. R. 93. Congratulating the Honorable Snow Hinton, Mayor of Tuscaloosa.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 5. To amend further Code of Alabama 1940, Title 52, Section 495, which relates to meetings of the board of trustees of the University of Alabama, in relation to the places of such meetings.

Also:

S. 45. To prohibit the exposing of obscene and harmful materials to persons eighteen years of age and older; to define terms and to prescribe penalties.

Also:

S. 70. Providing for the use of chemical tests for the determination of intoxication whenever any person is lawfully arrested in the state for an offense allegedly committed while such person was driving a motor vehicle on the public highways under the influence of intoxicating liquor; providing for the suspension of the privilege of driving motor vehicles of any such person upon his refusal to submit to such tests; providing for the admissibility in evidence in certain civil and criminal actions of the results of such tests, and of refusal to submit to such tests; and providing that specified percentages of alcohol in the blood shall raise prima facie presumptions with reference to the influence of intoxicating liquors.

Also:

S. 77. To create the State Board of Examiners of Nursing Home Administrators; to prescribe the powers of the State Board of Examiners of Nursing Home Administrators; to provide for the issuance of licenses for Nursing Home Administrators; and to prescribe penalties for violations of this Act and rules and regulations promulgated thereunder.

Also:

S. 237. To create a Court of Criminal Appeals and a Court of Civil Appeals; to provide for the jurisdiction of each; to provide for appeals to said courts; to provide for the transfer of cases between the courts and between them and the Supreme Court; to provide for the reporting of the decisions, the terms of court, law clerks for each of the judges, the salaries of the judges, their place of residence, that the members of the Criminal Court of Appeals shall be the same members as the former Court of Appeals; providing for the appointment by the governor of the members of the Civil Court of Appeals to staggered terms, providing for supernumerary judges of said courts, for a clerk of said courts and his duties, and for other clerical assistance and for a review by certiorari of the decisions of said courts and to make appropriations therefor.

Also:

S. 260. Relating to Mobile County: To amend further Section 1 of an Act approved June 28, 1940 (Act No. 594, H. 1044, Local Acts of Alabama, 1939, p. 355), placing the Sheriff of Mobile County, Alabama, on a salary basis.

Also:

S. 408. To make an appropriation from the General Fund of the State Treasury to the use of the Agricultural Center Board for expenditure by said Board in the promotion of agriculture and agricultural fairs throughout the State by providing State aid for the payment of prizes, premiums and awards for agricultural and related exhibits at bona fide agricultural fairs; to provide the manner, methods and procedure under which funds appropriated for this purpose shall be disbursed; and to authorize the Agricultural Center Board to appoint a special awards committee for fairs and to adopt rules and regulations to effectuate the intent and purpose of this Act.

Also:

S. 518. To fix the compensation of Circuit Judges in Alabama; and to provide the method of payment and effective date thereof.

Also:

S. 566. To authorize and direct the director of conservation to execute on behalf of the State of Alabama a proper conveyance of certain real property to the Board of Trustees of the University of South Alabama, and certain other real property to the Mobile County Board of School Commissioners; and to provide for the relinquishing of certain rights in a certain part of such property by the Mobile County Board of School Commissioners.

Also:

S. 596. To provide for the compensation of the register of the circuit court of any county having a population of not less than 47,000 nor more than 49,000, according to the last or any subsequent federal decennial census; to repeal conflicting general, local or special laws.

Also:

S. 708. Relating to Crenshaw County; providing for the compensation of members of the county board of education.

Also:

S. 710. To provide for the appointment of the county superintendent of education of Crenshaw County; to provide for and regulate his compensation; and to repeal conflicting laws.

Also:

S. 711. To provide further for the government of Crenshaw County; to redivide the county into commissioners districts; to provide for the election, qualifications and terms of office of members of the court of county commissioners; to regulate further their duties relative to roads and bridges; to provide for the construction, repair and maintenance of public roads and bridges in the county on the county unit basis; to provide for a county engineer and prescribe his powers and duties.

Also:

S. 743. To amend Sections 1 and 5 of Act No. 21, H. 28, as amended, enacted at the 1969 Special Session of the Legislature of Alabama, relating to raising revenue and levying a tax against certain persons and utilities and prescribing rates and exclusions therefrom, and providing for collecting such tax and enforcing payment thereof, and providing for the disposition of the proceeds from such tax.

Also:

S. 799. Relating to counties having populations not less than 47,000 nor more than 49,000, according to the most recent federal decennial census; to increase the compensation of the judge of the County Court in such counties; to repeal conflicting laws.

Also:

S. 802. To provide for an election to be held to allow the electorate of Marshall County to vote on whether or not said county shall transfer certain county functions in relation to the construction, repair and maintenance of public roads and bridges to the state highway department; and providing for the reorganization of the Marshall County Commission

on Government and Finance as it now exists; abolishing same and establishing in lieu thereof the Marshall County Commission; and providing that this act shall become operative only if approved at the referendum held as herein provided.

Also:

S. 822. Relating to certain payments from the county treasuries of all counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census; fixing the amount of compensation and expense allowances that may be paid out of the treasury of any such county to certain county officers and their assistants and the amount of supplementary compensation and expense allowances that may be paid therefrom to certain officers of the circuit courts of the circuit in which such county lies.

Also:

S. 831. To validate amounts expended by the board of revenue, court of county commissioners, or other like governing body, of any county with not less than 42,000 nor more than 46,000 population, according to the last or any subsequent federal decennial census, for gifts to hospital patients of the county, holiday advertisements by the county, premiums paid on bonds of the coroner, and appropriations made to private schools during the period October 1, 1964 through September 30, 1966.

Also:

S. 855. To alter and rearrange the boundary lines of the Town of Newsite, Alabama, so as to include within the corporate limits of the Town of Newsite, Alabama, all territory now within such corporate limits and also certain other territory.

Also:

S. 874. To alter, rearrange and extend the boundary lines and corporate limits of the City of Decatur, in Morgan County.

Also:

S. 875. To apply only in counties having populations of not less than 47,000 nor more than 49,000 according to the most recent federal decennial census; providing additional allowances for clerk hire fund for the office of Probate of such counties.

Also:

S. 877. Relating to counties having populations of not less than 17,800 nor more than 18,700, according to the most recent federal decennial census; to fix the fee for issuance of a pistol permit by the sheriff; to provide for the disposition and use of such fees; and to repeal conflicting laws.

Also:

S. 878. To fix the compensation of the deputy sheriffs in counties having populations of not less than 17,800 nor more than 18,700.

Also:

S. 890. Relating to counties having populations of not less than 17,800 nor more than 18,700, fixing the compensation of the Judge of the Inferior Court in such counties; providing that the Circuit Clerk in such counties shall be the ox-officio clerk of said Inferior Court; fixing the

compensation of such Clerk, and providing for the institution of prosecutions for felonies, in such Inferior Court by affidavit before such Clerk, and upon writ issued by him.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

S. 378 RESUMED

Mr. Watkins moved that the bill, S. 378, be carried over for six hours.

On motion of Mr. Wright, the motion of Mr. Watkins to carry over was tabled.

Yeas 52; Nays 29.

Yeas:

Mr. Speaker	Foshee	Jones	Pruitt
Agee	Garrett	Laxson	Sessions
Bank	Graham	Lybrand	Shumate
Beck	Grayson	Manley	Slate
Brannan	Hain	McCorquodale	Smith
Cameron	Harper	McElhaney	Springer
Collier	Harris	McLain	Stembridge
Cook (Coffee)	Haygood	Meade	Tuck
Crawford	Headley	Melton	Turnham
Culver	Higginbotham	Nettles	Williams
Dill	Hill	Owens (W)	Wood
Downing	Hobbie	Paulk	Yeilding
Drake	Jackson (F)	Pearson	Young

—52

Nays:

Messrs.:	Ellis	Marr	Perloff
Adwell	Gafford	Mays	Robertson
Bassett	Grainger	McDonald	Starnes
Bowers	Hardin	Meeks	Stubbs
Burgess	Holman	Merrill	Waggoner
Collins (W)	Jackson (T)	Money	Watkins
Cook (Jefferson)	Kilgore	Pennington	Weeks
Edington	Lyons		

—29

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 155. Designating Representative Robert S. Edington to represent the Alabama Legislature at the commissioning of the USS MOBILE.

Also:

H. J. R. 157. Creating a Joint Interim Committee on legislative and lobbying ethics.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

S. 378 RESUMED

And the bill, S. 378, as amended, was read a third time at length and passed.

Yeas 54; Nays 28.

Yeas:

Mr. Speaker	Garrett	Manley	Pearson
Agee	Graham	Mays	Pennington
Bank	Grayson	McCorquodale	Pruitt
Beck	Hain	McElhaney	Sessions
Brassell	Harper	McLain	Shumate
Cameron	Harris	Meade	Slate
Cook (Coffee)	Haygood	Melton	Snell
Dill	Higginbotham	Merrill	Springer
Doss	Hill	Nettles	Tuck
Downing	Jackson (F)	Neville	Wood
Drake	Jones	Owens (W)	Wright
Edington	Lemley	Owens (W.E.)	Yeilding
Fine	Lybrand	Paulk	Young
Foshee	Malone		—54

Nays:

Messrs.:	Ellis	Kilgore	Perloff
Bassett	Gafford	Laxson	Starnes
Bowers	Gloor	Lyons	Stembridge
Brannan	Hardin	Marr	Stubbs
Burgess	Hobbie	McDonald	Waggoner
Collins (W)	Holman	Meeks	Watkins
Cook (Jefferson)	House	Money	Weeks
Crawford			—28

MOTION TO BRING UP S. 125

On motion of Mr. Pruitt, the rules were suspended and permission granted to bring up out of order the bill, S. 125.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Ellis	Laxson	Paulk
Agee	Fine	Lemley	Pearson
Bank	Foshee	Lybrand	Pennington
Bassett	Gafford	Lyons	Perloff
Beck	Garrett	Manley	Pruitt
Bowers	Graham	Marr	Robertson
Brannan	Grayson	McCorquodale	Sessions
Brassell	Hain	McDonald	Shumate
Brown	Hardin	McElhaney	Slate
Burgreen	Harper	McLain	Snell
Cameron	Harris	Meade	Starnes
Collier	Haygood	Meeks	Stubbs
Collins (W)	Higginbotham	Melton	Tuck
Cook (Coffee)	Hill	Merrill	Turnham
Crawford	Hobbie	Money	Waggoner
Culver	Holladay	Nettles	Williams
Dill	Holman	Neville	Wood
Doss	Jackson (F)	Owens (W)	Yeilding
Downing	Jones	Owens (W.E.)	Young
Edington			—77

And the bill:

S. 125 (with amendment). Pertaining to the salaries, tenure and removal of supernumerary district attorneys.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend S. B. 125 by striking out the first sentence of Section 1 and inserting in lieu thereof the following:

The salary of each supernumerary District Attorney shall be $7,200.00 per annum, payable in equal monthly installments.

And the amendment was adopted.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Edington	Kilgore	Paulk
Agee	Ellis	Laxson	Pearson
Bassett	Fine	Lemley	Perloff
Beck	Foshee	Lybrand	Pruitt
Blanton	Garrett	Lyons	Robertson
Bowers	Graham	Malone	Sessions
Brannan	Grayson	Manley	Shumate
Brassell	Hain	Marr	Slate
Burgreen	Hardin	McCorquodale	Snell
Cameron	Harper	McDonald	Starnes
Cherner	Harris	McLain	Stembridge
Collier	Haygood	Meeks	Stubbs
Collins (W)	Higginbotham	Melton	Tuck
Cook (Coffee)	Hill	Merrill	Turnham
Crawford	Hobbie	Money	Weeks
Dill	Holladay	Nettles	Williams
Doss	Holman	Neville	Yeilding
Downing	Jackson (F)	Owens (W)	Young
Drake	Jones	Owens (W.E.)	—75

And the bill, S. 125, as thus amended, was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Fine	Lybrand	Paulk
Agee	Foshee	Lyons	Pearson
Bassett	Garrett	Malone	Perloff
Beck	Graham	Manley	Pruitt
Blanton	Grayson	Marr	Robertson
Bowers	Hain	Mathews	Sessions
Brannan	Hardin	McCorquodale	Slate
Brassell	Harper	McDonald	Snell
Cameron	Harris	McElhaney	Springer
Collier	Haygood	McLain	Starnes
Collins (W)	Headley	Meade	Stembridge
Cook (Coffee)	Higginbotham	Meeks	Stubbs
Crawford	Hill	Melton	Tuck
Culver	Hobbie	Merrill	Turnham
Dill	Holman	Money	Weeks
Doss	Jackson (F)	Nettles	Williams
Downing	Jackson (T)	Neville	Yeilding
Edington	Jones	Owens (W)	Young
Ellis	Kilgore	Owens (W.E.)	—75

And the bill:

S. 4. Concerning the acquisition of control of a domestic insurance company and certain transactions, dividends and distributions between insurance companies and their affiliates and to provide penalties for the violation thereof.

Was read a third time at length and passed.

Yeas 78; Nays 5.

Yeas:

Mr. Speaker	Graham	Lyons	Pennington
Agee	Grainger	Malone	Perloff
Bassett	Grayson	Manley	Robertson
Beck	Hain	Marr	Sessions
Blanton	Hardin	McCorquodale	Shumate
Bowers	Harper	McDonald	Slate
Cameron	Harris	McElhaney	Smith
Cherner	Haygood	McLain	Starnes
Collier	Headley	Meade	Stembridge
Collins (W)	Higginbotham	Meeks	Stubbs
Cook (Coffee)	Hill	Melton	Tuck
Crawford	Hobbie	Merrill	Turnham
Culver	Holladay	Money	Watkins
Dill	Holman	Nettles	Weeks
Doss	Jackson (F)	Neville	Williams
Downing	Jackson (T)	Owens (W)	Wood
Edington	Jones	Owens (W.E.)	Wright
Fine	Kilgore	Paulk	Yeilding
Foshee	Lemley	Pearson	Young
Garrett	Lybrand		—78

Nays:

Messrs.:	Brannan	Ellis	House
Adwell	Cook (Jefferson)		—5

And the bill:

S. 519. To provide that certain school lunchroom managers and assistants to such managers may become members of the Teachers' Retirement System and shall receive all the benefits provided for teachers under the provisions of Code of Alabama 1940, Title 52, Chapter 14; to place the duty of collecting the employees' contributions to the Teachers' Retirement System on the county or city board of education employing such school lunchroom managers and assistants to such managers and also the duty of remitting to the secretary-treasurer of the retirement system both the employer's and employees' contributions to the system; to provide for the payment of the employer's liability on account of matching contributions and providing for prior service of such school lunchroom managers and assistants to such managers out of funds in the Alabama Special Educational Trust Fund which have been appropriated therefor to the state department of education and distributed by such department to the several county and city boards of education employing lunchroom managers and assistants to such managers; and to make an an appropriation to carry out the provisions of this Act.

Was taken up.

Mr. Lybrand offered the following substitute to the bill, S. 519:

A BILL
TO BE ENTITLED
AN ACT

To provide that certain School Lunchroom Managers and Assistant Lunchroom Managers may become members of the Teachers' Retirement System of Alabama and shall receive all the benefits provided for teachers under the provisions of the Code of Alabama 1940, Title 52, Chapter 14; to place the duty of collecting the employees' contributions to the Teachers' Retirement System on the County or City Board of Education employing such School Lunchroom Managers and Assistant Lunchroom Managers and also the duty of remitting to the Secretary-Treasurer of the Retirement System the employees' contributions to the Retirement System; to provide for the payment of the Employer contributions as necessary and providing for prior service of such School Lunchroom Managers and Assistant Lunchroom Managers out of funds in the Alabama Special Educational Trust Fund, and to make an appropriation to carry out the provisions of this Act.

Be It Enacted by the Legislature of Alabama:

Section 1. All School Lunchroom Managers and All Assistant to such managers who are employed by any county or city board of education in the operation or management of a lunchroom in any public school in Alabama, regardless of the source from which and the manner in which their salaries are paid, may become members of the Teachers' Retirement System of Alabama, provided such persons elect within six months after the effective date of this Act, to accept the benefits of Code of Alabama 1940, Title 52, Chapter 14. Such persons may signify their desire to become members of the Teachers' Retirement System by filing written notice with the Secretary-Treasurer of such system within said six months period. Any person hereafter employed by a county or city board of education as a manager of or as an assistant to a manager of a lunchroom in a public school shall be deemed to be a teacher within the meaning of such word in the Teachers' Retirement System Law and shall be entitled to the benefits thereof.

Section 2. Any person employed in the capacity as set out in Section 1 hereof shall be entitled to receive credit for all service in such capacity rendered by him prior to the effective date of this Act, pro-

vided that such person pays to the treasurer of the Teachers' Retirement System, within six months from the effective date of this Act, a sum equal to the total contributions which he would have made as a member during the period of such employment by a county or city board of education from September 1, 1941 to the effective date of this Act.

Section 3. There is hereby appropriated to the Board of Control of the Teachers' Retirement System of Alabama out of any funds in the Alabama Special Educational Trust Fund the sum of $500,000.00 for the fiscal year ending September 30, 1970 and the sum of $500,000.00 for the fiscal year ending September 30, 1971 for the purpose of carrying out the provisions of this Act. Thereafter appropriations out of the Alabama Special Educational Trust Fund for said purpose shall be included in the regular biennial appropriation to the Teachers' Retirement System of Alabama.

Section 4. The several County and City Boards of Education employing Lunchroom Managers and Assistant Lunchroom Managers in the public schools under their separate jurisdictions are hereby authorized and directed to provide for the deductions from the salaries of such persons or for the collection in some other manner of each of such employees' contributions to the Teachers' Retirement System and shall remit such collections to the Teachers' Retirement System as prescribed by law or regulations of the Board of Control of the Teachers' Retirement System.

Section 5. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. All laws or parts of laws which conflict with this Act are repealed.

Section 7. This Act shall become effective October 1, 1969.

And the substitute was adopted.

Yeas 86; Nay 1.

Yeas:

Mr. Speaker	Foshee	Lemley	Paulk
Agee	**Gafford**	**Lybrand**	**Pearson**
Bassett	Garrett	Lyons	Pennington
Beck	Gloor	Malone	Perloff
Berryman (W)	Graham	Manley	Robertson
Blanton	Grainger	Marr	Sessions
Bowers	Grayson	Mays	**Shumate**
Brannan	Hain	McCorquodale	Smith
Brown	Hardin	McDonald	Starnes
Burgess	Harper	McElhaney	Stembridge
Cameron	Harris	McLain	Stubbs
Cherner	Headley	Meade	Tuck
Collier	Higginbotham	Meeks	Turnham
Collins (W)	Hill	Melton	Waggoner
Cook (Coffee)	Hobbie	Merrill	Watkins
Crawford	Holladay	Money	Weeks
Culver	**Holman**	Nettles	Williams
Dill	House	Neville	Wood
Downing	Jackson (F)	Owen (Baldwin)	Wright
Edington	Jackson (T)	Owens (W)	Yeilding
Ellis	Jones	Owens (W.E.)	Young
Fine	Kilgore		—86

Nay: Mr. Bank. —1

And the bill, S. 519, as thus amended, was read a third time at length and passed.

Yeas 86; Nay 1.

Yeas:

Mr. Speaker	Foshee	Lemley	Paulk	
Agee	Gafford	Lybrand	Pearson	
Bassett	Garrett	Lyons	Pennington	
Beck	Gloor	Malone	Perloff	
Berryman (W)	Graham	Manley	Robertson	
Blanton	Grainger	Marr	Sessions	
Bowers	Grayson	Mays	Shumate	
Brannan	Hain	McCorquodale	Smith	
Brown	Hardin	McDonald	Starnes	
Burgess	Harper	McElhaney	Stembridge	
Cameron	Harris	McLain	Stubbs	
Cherner	Headley	Meade	Tuck	
Collier	Higginbotham	Meeks	Turnham	
Collins (W)	Hill	Melton	Waggoner	
Cook (Coffee)	Hobbie	Merrill	Watkins	
Crawford	Holladay	Money	Weeks	
Culver	Holman	Nettles	Williams	
Dill	House	Neville	Wood	
Downing	Jackson (F)	Owen (Baldwin)	Wright	
Edington	Jackson (T)	Owens (W)	Yeilding	
Ellis	Jones	Owens (W.E.)	Young	
Fine	Kilgore			—86

Nay: Mr. Bank. —1

MOTION TO BRING UP S. 549 LOST

The motion of Mr. Haygood to suspend the rules and bring up out of order the bill, S. 549, was lost.

Yeas 46; Nays 21.

Yeas:

Mr. Speaker	Garrett	Malone	Perloff	
Bank	Gloor	Manley	Robertson	
Beck	Graham	Marr	Shumate	
Berryman (W)	Grainger	Mays	Slate	
Brown	Grayson	McLain	Smith	
Burgess	Hain	Meade	Springer	
Cameron	Harper	Melton	Stubbs	
Collier	Haygood	Owens (W)	Tuck	
Culver	Headley	Owens (W.E.)	Weeks	
Doss	Hill	Pearson	Williams	
Downing	Jackson (T)	Pennington	Wood	
Edington	Jones			—46

Nays:

Messrs.:	Hardin	McDonald	Paulk	
Bassett	Harris	Meeks	Starnes	
Bowers	Holman	Money	Stembridge	
Brannan	House	Nettles	Turnham	
Crawford	Kilgore	Neville	Waggoner	
Gafford	Lyons			—21

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Clark:

S. J. R. 119. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That an interim committee on mental health be created to study all phases of the mental health problems of the state, to study the financing of new hospitals, and appropriations for their operation.

BE IT FURTHER RESOLVED, that said interim committee on mental health shall consist of three members from the house and two members from the senate to be appointed by the presiding officers of their respective houses;

BE IT FURTHER RESOLVED, that each member of said committee shall receive his regular legislative per diem pay for each day of work, not to exceed 15 days, and said committee shall report to the next regular session of the legislature on or before the 10th legislative day.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the rules were suspended and the House concurred in and adopted the S. J. R. 119 set out in the above and foregoing Message from the Senate.

And the bill:

S. 622. To make an appropriation from the state treasury payable to the Glenn Falls Insurance Company for the relief of Sergeant E. W. Pierce of the highway patrol.

Was read a third time at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Owens (W.E.)
Adwell	Edington	Lemley	Paulk
Agee	Ellis	Lybrand	Pearson
Bank	Fine	Lyons	Pennington
Bassett	Foshee	Malone	Perloff
Beck	Garrett	Manley	Pruitt
Blanton	Gloor	Marr	Robertson
Bolton	Grainger	Mays	Sessions
Bowers	Grayson	McCorquodale	Shumate
Brannan	Hain	McLain	Slate
Brassell	Hardin	Meade	Smith
Brown	Harper	Meeks	Snell
Burgess	Harris	Melton	Stembridge
Cherner	Headley	Merrill	Stubbs
Collier	Higginbotham	Money	Tuck
Cook (Coffee)	Hill	Nettles	Weeks
Crawford	House	Neville	Williams
Culver	Jackson (F)	Owen (Baldwin)	Wood
Dill	Jones	Owens (W)	Young

—76

MOTION TO BRING UP S. 478

On motion of Mr. Dobbs, the rules were suspended and permission granted to bring up out of order the bill, S. 478.

Yeas 69; Nays 6.

Yeas:

Messrs.:	Doss	Jackson (F)	Pennington
Agee	Downing	Jackson (T)	Perloff
Bank	Edington	Jones	Pruitt
Bassett	Ellis	Lybrand	Robertson
Beck	Garrett	Lyons	Sessions
Berryman (W)	Graham	Manley	Shumate
Blanton	Grainger	Marr	Slate
Bolton	Grayson	Mays	Smith
Brannan	Hain	McCorquodale	Snell
Brassell	Hardin	McElhaney	Stubbs
Brown	Harper	McLain	Tuck
Cameron	Harris	Melton	Turnham
Collier	Headley	Money	Waggoner
Collins (C)	Higginbotham	Nettles	Williams
Cook (Coffee)	Hill	Owen (Baldwin)	Wood
Cook (Jefferson)	Holladay	Owens (W.E.)	Yeilding
Culver	Holman	Pearson	Young
Dill	House		—69

Nays:

Mr. Speaker	Crawford	Paulk	Stembridge
Bowers	Meade		—6

And the bill:

S. 478. To provide for voluntary and temporary or emergency admissions of patients at certain state hospitals and facilities maintained for treatment of the mentally ill, and to repeal conflicting laws.

Was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Fine	Lemley	Perloff
Agee	Foshee	Lybrand	Pruitt
Beck	Gafford	Malone	Robertson
Berryman (W)	Garrett	Manley	Sessions
Bolton	Graham	Marr	Shumate
Bowers	Grainger	Mays	Slate
Brannan	Grayson	McCorquodale	Smith
Brassell	Hardin	McElhaney	Snell
Brown	Harper	McLain	Springer
Burgess	Headley	Meade	Stubbs
Cameron	Higginbotham	Meeks	Tuck
Collier	Hill	Melton	Turnham
Crawford	Hobbie	Merrill	Watkins
Dill	Holladay	Money	Williams
Dobbs	Holman	Nettles	Wood
Doss	House	Owen (Baldwin)	Wright
Downing	Jackson (F)	Owens (W.E.)	Yeilding
Edington	Jackson (T)	Pearson	Young
Ellis	Jones	Pennington	—75

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 892. To authorize Alabama Public School and College Authority, a public corporation, to sell and issue additional bonds for the purpose of constructing and equipping capital improvements at state educational institutions where the board of directors of the Authority, with the approval of the Governor, shall determine that such capital improvements can be most advantageously located; to provide for the details of the said bonds and for the sale thereof; to make appropriation and pledge of funds for payment of the principal of and interest in the said bonds and authorize the Authority to pledge for payment of the said principal and interest the funds so appropriated and pledged herein; to provide that the said bonds shall be limited obligations of the Authority payable solely from the funds so appropriated and pledged and shall not create an obligation or debt of the state; to provide that the said bonds and the income therefrom shall be exempt from taxation and the said bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the refunding of such bonds by the issuance of refunding bonds; to adopt with respect to the said bonds certain provisions of Act No. 243 adopted at the 1965 Special Session of the Legislature of Alabama; and to specify certain other provisions respecting the said bonds.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. House, the House concurred in and adopted the Senate amendments to the bill, H. 892, said Senate amendments being as follows:

In Section 2 at the end thereof and as a part of such section insert the following: Out of the proceeds of the bonds issued pursuant to this section, the Alabama Public School and College Authority is further authorized to use a portion of said proceeds for the purpose of planning, constructing, and equipping a medical school at the University of South Alabama.

In the last sentence of Section 2, as added by the Pelham amendment, strike out the comma where it now appears following the word "planning" and insert in place thereof the word "for."

Also, in the same sentence, strike out the comma where it now appears following the word "constructing."

Yeas 82; Nay 1.

Yeas:

Mr. Speaker	Bowers	Crawford	Foshee
Agee	Brannan	Culver	Garrett
Bank	Brassell	Dill	Graham
Bassett	Brown	Doss	Grainger
Beck	Burgess	Downing	Grayson
Berryman (W)	Cameron	Edington	Hain
Blanton	Collier	Ellis	Hardin
Bolton	Cook (Jefferson)	Fine	Harper

Harris	Lemley	Money	Smith
Haygood	Lybrand	Nettles	Snell
Headley	Lyons	Owen (Baldwin)	Springer
Higginbotham	Malone	Owens (W.E.)	Stubbs
Hill	Manley	Paulk	Tuck
Holladay	Marr	Pearson	Turnham
Holman	McCorquodale	Pennington	Waggoner
House	McElhaney	Perloff	Williams
Jackson (F)	McLain	Pruitt	Wood
Jackson (T)	Meade	Robertson	Wright
Jones	Meeks	Sessions	Yeilding
Kilgore	Melton	Shumate	Young
Laxson	Merrill		

—82

Nay: Mr. Gloor. —1

MOTION TO BRING UP S. 129 LOST

The motion of Mr. Laxson to suspend the rules and bring up out of order the bill, S. 129, was lost.

Yeas 55; Nays 20.

Yeas:

Messrs.:	Edington	Jackson (F)	Pearson
Agee	Foshee	Jones	Pennington
Bank	Gafford	Lyons	Perloff
Berryman (W)	Graham	Malone	Robertson
Blanton	Grainger	Manley	Sessions
Bolton	Grayson	Marr	Shumate
Brannan	Hain	McLain	Smith
Brown	Harper	Meeks	Springer
Burgess	Haygood	Melton	Stubbs
Cameron	Headley	Merrill	Tuck
Cherner	Higginbotham	Money	Turnham
Collins (C)	Hill	Owen (Baldwin)	Williams
Culver	Hobbie	Owens (W.E.)	Wood
Downing	Holladay	Paulk	Yeilding

—55

Nays:

Mr. Speaker	Crawford	Holman	Nettles
Bassett	Dill	Kilgore	Snell
Bowers	Fine	Lemley	Watkins
Brassell	Garrett	McCorquodale	Wright
Collier	Hardin	McElhaney	Young

—20

MOTION TO BRING UP S. 465

On motion of Mr. Burgreen, the rules were suspended and permission granted to bring up out of order the bill, S. 465.

And the bill:

S. 465. To amend Code of Alabama 1940, Title 37, Section 540, which relates to the power of certain cities, classified according to population, to abate or reduce assessments made for public improvements, in order to make this section applicable to other cities, also classified according to population.

Was read a third time at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Owens (W.E.)
Agee	Edington	Jackson (T)	Paulk
Beck	Ellis	Jones	Pearson
Berryman (W)	Fine	Kilgore	Pennington
Blanton	Foshee	Lemley	Perloff
Bowers	Garrett	Lybrand	Pruitt
Brannan	Graham	Lyons	Robertson
Brassell	Grayson	Malone	Sessions
Burgreen	Hain	Manley	Slate
Cameron	Hardin	Marr	Snell
Cherner	Harper	McCorquodale	Stubbs
Collier	Harris	McLain	Tuck
Collins (C)	Haygood	Meade	Turnham
Cook (Jefferson)	Headley	Meeks	Waggoner
Crawford	Higginbotham	Melton	Williams
Culver	Hill	Merrill	Wood
Dill	Hobbie	Money	Wright
Dobbs	Holman	Nettles	Yeilding
Doss	House	Owen (Baldwin)	Young

—76

MOTION TO RECESS

Mr. McDonald moved that when the House recessed it would recess from 6:30 to 8:00 P. M.

And the motion was adopted.

Yeas 58; Nays 33.

Yeas:

Mr. Speaker	Dobbs	Jones	Pearson
Adwell	Doss	Kilgore	Pennington
Beck	Downing	Lemley	Perloff
Berryman (W)	Ellis	Malone	Pruitt
Blanton	Fine	Manley	Slate
Brassell	Graham	Marr	Snell
Brown	Grainger	McDonald	Starnes
Burgess	Hain	McLain	Stembridge
Burgreen	Hardin	Meade	Stubbs
Cameron	Harper	Meeks	Tuck
Collier	Headley	Money	Watkins
Collins (C)	Higginbotham	Owen (Baldwin)	Weeks
Crawford	Hill	Owens (W.E.)	Williams
Culver	Hobbie	Paulk	Young
Dill	Holman		

—58

Nays:

Messrs.:	Edington	Jackson (F)	Robertson
Agee	Foshee	Jackson (T)	Sessions
Bank	Gafford	Lybrand	Smith
Bolton	Garrett	Lyons	Springer
Bowers	Grayson	McCorquodale	Turnham
Brannan	Harris	McElhaney	Wood
Cherner	Haygood	Melton	Wright
Cook (Coffee)	Holladay	Nettles	Yeilding
Cook (Jefferson)	House		

—33

RESOLUTION

The following resolution was introduced:

By Messrs. Brown, Robertson, Culver and Bank:

H. J. R. 180. WHEREAS "Dutch" Smith, one of Tuscaloosa's leading citizens, has long been active in promoting and advancing highway development and construction in this state; and

WHEREAS Mr. Smith, a past president of the Tuscaloosa Chamber of Commerce, served for 19 years on the highway and transportation committee of the Chamber; and

WHEREAS Mr. Smith has been personally instrumental in obtaining federal funds for highway expansion in Alabama, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the street in the greater Tuscaloosa area which connects U. S. Highway 82 By-Pass with Greensboro Avenue at Fourth Street be named the Dutch Smith Riverside Drive.

BE IT FURTHER RESOLVED, That a copy of this resolution be sent to Mr. "Dutch" Smith.

On motion of Mr. Brown, the rules were suspended and H. J. R. 180 was adopted.

MOTION TO BRING UP S. 664

On motion of Mr. Cook (Jefferson), the rules were suspended and permission granted to bring up out of order the bill, S. 664.

Yeas 50; Nays 7.

Yeas:

Mr. Speaker	Culver	Holladay	Pruitt
Agee	Downing	Kilgore	Robertson
Beck	Edington	Lemley	Sessions
Berryman (W)	Ellis	Lybrand	Snell
Blanton	Fine	Meade	Stembridge
Bowers	Garrett	Melton	Waggoner
Brannan	Graham	Merrill	Watkins
Brassell	Grayson	Nettles	Williams
Brown	Hain	Owen (Baldwin)	Wood
Burgess	Hardin	Paulk	Wright
Cherner	Harper	Pearson	Yeilding
Collier	Higginbotham	Pennington	Young
Crawford	Hill		—50

Nays:

Messrs.:	Cameron	Jackson (T)	McElhaney
Bassett	Hobbie	Lyons	Stubbs
			—7

And the bill:

S. 664. To make a supplemental appropriation to the Department of Public Safety.

Was read a third time at length and passed.

Yeas 63; Nay 1.

Yeas:

Mr. Speaker	Culver	Holladay	Pennington	
Agee	Dobbs	Jackson (T)	Perloff	
Bassett	Downing	Jones	Pruitt	
Beck	Edington	Lemley	Robertson	
Berryman (W)	Ellis	Lybrand	Sessions	
Blanton	Fine	Manley	Snell	
Bolton	Foshee	McCorquodale	Stembridge	
Bowers	Garrett	McElhaney	Stubbs	
Brannan	Graham	Meade	Tuck	
Brassell	Grayson	Meeks	Waggoner	
Brown	Hain	Melton	Williams	
Burgess	Hardin	Merrill	Wood	
Burgreen	Harper	Nettles	Wright	
Cameron	Higginbotham	Neville	Yeilding	
Collier	Hill	Paulk	Young	
Crawford	Hobbie	Pearson		—63

Nay: Mr. Lyons —1

MOTION TO BRING UP S. 866 LOST

The motion of Mr. Mays to suspend the rules and bring up out of order the bill, S. 866, was lost.

Yeas 52; Nays 15.

Yeas:

Messrs.:	Culver	Jackson (F)	Neville	
Agee	Dobbs	Jones	Owen (Baldwin)	
Bank	Downing	Lybrand	Owens (W)	
Beck	Fine	Lyons	Pearson	
Berryman (W)	Foshee	Manley	Pennington	
Blanton	Garrett	Mays	Perloff	
Bolton	Graham	McCorquodale	Slate	
Brannan	Grayson	McDonald	Smith	
Brassell	Hardin	McLain	Snell	
Burgreen	Harper	Melton	Starnes	
Cameron	Harris	Merrill	Tuck	
Cherner	Higginbotham	Money	Williams	
Collier	Holladay	Nettles	Wood	
Collins (C)				—52

Nays:

Mr. Speaker	Hobbie	McElhaney	Stubbs	
Bassett	Jackson (T)	Paulk	Weeks	
Crawford	Kilgore	Springer	Young	
Dill	Lemley	Stembridge		—15

MOTION TO BRING UP S. 712

On motion of Mr. Merrill, the rules were suspended and permission granted to bring up out of order the bill, S. 712.

Yeas 61; Nays 6.

Yeas:

Mr. Speaker	Doss	Jones	Pruitt
Agee	Downing	Laxson	Robertson
Bank	Ellis	Lybrand	Sessions
Beck	Fine	Manley	Slate
Berryman (W)	Foshee	McDonald	Smith
Blanton	Graham	McLain	Snell
Bolton	Grainger	Meade	Starnes
Brannan	Grayson	Melton	Stembridge
Brassell	Hain	Merrill	Stubbs
Burgreen	Harper	Nettles	Tuck
Cameron	Higginbotham	Owens (W)	Turnham
Collier	Hill	Paulk	Williams
Collins (C)	Hobbie	Pearson	Wood
Crawford	Holladay	Pennington	Wright
Culver	Holman	Perloff	Yeilding
Dobbs			—61

Nays:

Messrs.:	Garrett	Jackson (T)	McElhaney
Bassett	Hardin	Kilgore	—6

And the bill:

S. 712. To provide that any estate in real property may be acquired and held in the name of a partnership or joint venture, to specify the manner in which any estate in real property so acquired and held may be conveyed, and to define certain terms as used herein.

Was read a third time at length and passed.

Yeas 76; Nays 2.

Yeas:

Mr. Speaker	Doss	Jones	Pennington
Agee	Downing	Laxson	Perloff
Bank	Ellis	Lemley	Pruitt
Bassett	Fine	Lybrand	Robertson
Beck	Foshee	Lyons	Sessions
Berryman (W)	Garrett	Manley	Slate
Blanton	Graham	McCorquodale	Smith
Bolton	Grainger	McDonald	Snell
Bowers	Grayson	McElhaney	Starnes
Brannan	Hain	McLain	Stembridge
Brassell	Hardin	Meade	Stubbs
Burgreen	Harper	Meeks	Tuck
Cameron	Harris	Melton	Turnham
Collier	Higginbotham	Merrill	Waggoner
Cook (Jefferson)	Hill	Nettles	Williams
Crawford	Hobbie	Owen (Baldwin)	Wood
Culver	Holladay	Owens (W)	Wright
Dill	Holman	Paulk	Yeilding
Dobbs	Jackson (F)	Pearson	Young
			—76

Nays: Messrs. Cherner and Jackson (T) —2

MOTION TO BRING UP S. 460

On motion of Mr. Turnham, the rules were suspended and permission granted to bring up out of order the bill, S. 460.

Yeas 61; Nays 8.

Yeas:

Mr. Speaker	Dobbs	Laxson	Robertson
Agee	Downing	Lemley	Sessions
Bank	Fine	Lyons	Smith
Bassett	Foshee	Manley	Snell
Beck	Garrett	McCorquodale	Springer
Berryman (W)	Graham	McDonald	Starnes
Blanton	Grainger	Meade	Stembridge
Bowers	Grayson	Melton	Stubbs
Brannan	Hain	Merrill	Tuck
Brassell	Harper	Nettles	Turnham
Brown	Higginbotham	Owens (W)	Watkins
Burgreen	Hill	Paulk	Williams
Cherner	Holladay	Pearson	Wood
Collier	Jackson (F)	Pennington	Yeilding
Crawford	Jones	Pruitt	Young
Dill			—61

Nays:

Messrs.:	Ellis	Holman	Kilgore
Adwell	Haygood	Jackson (T)	Waggoner
Cook (Jefferson)			—8

And the bill:

S. 460. To amend Sections 499, 501 and 502 of Chapter 1 of Title 2 of the Code of Alabama of 1940; and to repeal Sections 498 and 500 of Chapter 1 of Title 2 of the Code of Alabama of 1940, all of which relate to chemical laboratory analyses of substances, products and materials by the Department of Agriculture and Industries.

Was read a third time at length and passed.

Yeas 75; Nay 1.

Yeas:

Mr. Speaker	Dobbs	Jackson (F)	Pennington
Agee	Doss	Jackson (T)	Perloff
Bank	Downing	Jones	Pruitt
Bassett	Ellis	Laxson	Robertson
Beck	Fine	Lemley	Sessions
Berryman (W)	Foshee	Lyons	Slate
Blanton	Gafford	Manley	Smith
Brannan	Garrett	McCorquodale	Snell
Brassell	Graham	McDonald	Starnes
Brown	Grainger	McElhaney	Stembridge
Burgreen	Grayson	Meade	Stubbs
Cameron	Hain	Meeks	Tuck
Cherner	Hardin	Melton	Turnham
Collier	Harper	Merrill	Watkins
Collins (C)	Harris	Nettles	Williams
Cook (Jefferson)	Higginbotham	Owen (Baldwin)	Wood
Crawford	Hill	Owens (W)	Yeilding
Culver	Hobbie	Paulk	Young
Dill	Holladay	Pearson	—75

Nay: Mr. Adwell —1

RESOLUTION

The following resolution was introduced:

By Mr. Cook (Coffee):

H. J. R. 181. WHEREAS Mr. C. E. (Butch) Avinger, Superintendent of Banks, and Mr. John Miller, Executive Director of the Commission on Aging, in addition to performing in a most effective manner the respective duties of their own offices, have acted as liason between the executive and legislative branches of State Government during this administration; and

WHEREAS Mr. Avinger and Mr. Miller have both performed these extra duties most efficiently and judiciously and have shown every consideration to the members of the legislature in exercising this important function; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we wish to commend Mr. Avinger and Mr. Miller for their services and to thank them for the many courtesies which they have extended to us.

RESOLVED FURTHER, that the Governor be commended on his choice of such fine men.

On motion of Mr. Cook (Coffee), the rules were suspended and H. J. R. 181 was adopted.

At their request, the following were added as co-sponsors to H. J. R. 181:

Messrs. Fite, Agee, Bank, Bassett, Beck, Berryman (W), Blanton, Bolton, Bowers, Brannan, Brassell, Burgess, Burgreen, Cameron, Collier, Crawford, Culver, Dill, Dobbs, Downing, Drake, Ellis, Fine, Foshee, Garrett, Grainger, Grayson, Hain, Hardin, Harper, Headley, Higginbotham, Hill, Hobbie, Holladay, Holman, House, Jackson (F), Jackson (T), Jones, Kilgore, Laxson, Lemley, Lybrand, Lyons, Manley, Marr, McCorquodale, McDonald, McElhaney, McLain, Meade, Meeks, Melton, Merrill, Money, Nettles, Neville, Owen (Baldwin), Owens (W), Paulk, Pearson, Pennington, Perloff, Pruitt, Robertson, Sessions, Shumate, Smith, Snell, Springer, Stembridge, Stubbs, Tuck, Turnham, Waggoner, Watkins, Weeks, Williams, Wood, Yeilding, Young.

MOTION TO BRING UP S. 393

On motion of Mr. Bank, the rules were suspended and permission granted to bring up out of order the bill, S. 393.

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Collier	Garrett	House
Agee	Cook (Jefferson)	Grainger	Jackson (F)
Bank	Crawford	Grayson	Jackson (T)
Bassett	Culver	Hain	Jones
Beck	Dill	Hardin	Kilgore
Berryman (W)	Dobbs	Harper	Laxson
Bowers	Downing	Harris	Lemley
Brannan	Edington	Higginbotham	Lybrand
Brassell	Ellis	Hill	Lyons
Burgreen	Fine	Hobbie	Manley
Cameron	Foshee	Holladay	Marr
Cherner	Gafford	Holman	McCorquodale

McDonald	Owens (W)	Smith	Turnham
McLain	Paulk	Snell	Waggoner
Meade	Pearson	Springer	Watkins
Meeks	Pennington	Starnes	Weeks
Melton	Perloff	Stembridge	Wood
Merrill	Pruitt	Stubbs	Yeilding
Money	Robertson	Tuck	Young
Nettles	Sessions		

—78

And the bill:

S. 393. To amend the Code of Alabama 1940, Title 52, Section 509 (1); providing for the change in the name of The Medical College of Alabama to "The University of Alabama School of Medicine."

Was read a third time at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Paulk
Agee	Ellis	Kilgore	Pearson
Bank	Fine	Laxson	Pennington
Bassett	Foshee	Lemley	Perloff
Beck	Gafford	Lybrand	Pruitt
Berryman (W)	Garrett	Lyons	Robertson
Blanton	Grainger	Malone	Sessions
Bowers	Grayson	Manley	Smith
Brannan	Hain	Marr	Snell
Brassell	Hardin	McCorquodale	Starnes
Burgreen	Harper	McDonald	Stembridge
Cameron	Harris	McElhaney	Stubbs
Cherner	Higginbotham	McLain	Tuck
Collier	Hill	Meade	Turnham
Collins (W)	Hobbie	Meeks	Waggoner
Cook (Jefferson)	Holladay	Melton	Watkins
Crawford	Holman	Merrill	Weeks
Culver	House	Money	Wood
Dill	Jackson (F)	Nettles	Yeilding
Dobbs	Jackson (T)	Owens (W)	Young

—80

And the bill:

S. 842. To make an appropriation to the office of the Attorney General and to provide for special investigators, clerical assistants, equipment, travel and other necessary expenses.

Was read a third time at length and passed.

Yeas 61; Nays 5.

Yeas:

Mr. Speaker	Collier	Grayson	Jones
Agee	Collins (W)	Hain	Laxson
Bassett	Cook (Jefferson)	Hardin	Lemley
Bolton	Culver	Harper	Lybrand
Bowers	Dobbs	Harris	Lyons
Brannan	Downing	Higginbotham	Malone
Brassell	Fine	Hill	Marr
Burgess	Foshee	Hobbie	McCorquodale
Burgreen	Garrett	Holladay	McDonald
Cameron	Grainger	Jackson (F)	McLain

Melton	Pearson	Shumate	Tuck	
Merrill	Pennington	Smith	Turnham	
Money	Perloff	Snell	Weeks	
Nettles	Robertson	Starnes	Yeilding	
Owens (W)	Sessions	Stembridge	Young	
Paulk				—61

Nays:

Messrs.:	Dill	Jackson (T)	Kilgore	
Crawford	Gafford			—5

And the bill:

S. 608. To amend Section 1 of Act No. 34 (H. 45) of the First Extraordinary Session of 1969 of the Legislature of Alabama, approved May 14, 1969, entitled "An Act authorizing the county governing body of each of the several counties to levy, assess and collect franchise, excise and privilege license taxes in order to raise funds to be used for the public schools in the county," so as to prescribe certain limitations on the levying of such taxes.

Was taken up.

On motion of Mr. Tuck, the bill, S. 608, was indefinitely postponed.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Vacca, Cooper and Stone:

S. J. R. 101. Providing for continuation of the joint committee established by S. J. R. 97, Act No. 382, approved September 5, 1967, to study the problems of interstate and intrastate highway safety generally.

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the joint committee established pursuant to S. J. R. 97, Act No. 382, approved September 5, 1967 shall continue in existence and shall continue its work as directed in said Act No. 382, provided that the members of the committee shall be appointed by the Speaker and the President of the Senate as provided in Act No. 382. The committee shall make a report to the legislature before the 10th legislative day of the next regular session.

BE IT FURTHER RESOLVED that the committee members shall be entitled to their usual legislative per diem and expenses for attending meetings of the committee which shall be paid from funds appropriated for the payment of the expenses of the legislature and that in no event shall this resolution carry an appropriation of more than $10,000.00.

BE IT FURTHER RESOLVED, that any provision of S. J. R. 97, Act No. 382, Regular Session 1967, in conflict with this resolution are hereby rescinded.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Collins (W), the rules were suspended and the House concurred in and adopted the S. J. R. 101 set out in the above and foregoing Message from the Senate.

Yeas 68; Nays 4.

Yeas:

Mr. Speaker	Culver	Holman	Nettles
Adwell	Dill	Jackson (F)	Owen (Baldwin)
Agee	Dobbs	Jones	Owens (W)
Bassett	Downing	Kilgore	Pearson
Berryman (W)	Ellis	Laxson	Pennington
Blanton	Fine	Lemley	Perloff
Bolton	Foshee	Lybrand	Robertson
Bowers	Garrett	Lyons	Sessions
Brannan	Grainger	Marr	Smith
Brassell	Grayson	McCorquodale	Starnes
Burgreen	Hain	McDonald	Stembridge
Cameron	Harper	McElhaney	Stubbs
Cherner	Harris	McLain	Tuck
Collier	Headley	Meeks	Turnham
Collins (W)	Hill	Melton	Weeks
Cook (Jefferson)	Hobbie	Merrill	Yeilding
Crawford	Holladay	Money	Young

—68

Nays:

Messrs.:			
Higginbotham	Jackson (T)	Snell	Watkins

—4

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 621. To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO BRING UP S. 472, S. 473 AND S. 474

On motion of Mr. Neville, the rules were suspended and permission granted to bring up out of order the bills, S. 472, S. 473 and S. 474.

Yeas 61; Nays 5.

Yeas:

Mr. Speaker	Fine	Jones	Pennington	
Agee	Foshee	Laxson	Perloff	
Bassett	Gafford	Lemley	Pruitt	
Berryman (W)	Gloor	Malone	Robertson	
Blanton	Grainger	Manley	Smith	
Bolton	Grayson	Marr	Snell	
Bowers	Hain	McDonald	Starnes	
Brannan	Hardin	McLain	Stembridge	
Brassell	Harper	Meeks	Stubbs	
Burgreen	Harris	Melton	Tuck	
Collier	Headley	Money	Turnham	
Crawford	Higginbotham	Nettles	Waggoner	
Culver	Hill	Owen (Baldwin)	Watkins	
Dill	Holman	Owens (W)	Weeks	
Dobbs	Jackson (F)	Pearson	Yeilding	
Downing				—61

Nays:

Messrs.:	Jackson (T)	Meade	Young	
Garrett	McElhaney			—5

And the bill:

S. 472. To amend Section 17 of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions, registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration, term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered, establishing exemptions from numbering provisions, requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

Was read a third time at length and passed.

Yeas 76; Nays 0.

Yeas:

Mr. Speaker	Bowers	Collier	Fine
Adwell	Brannan	Collins (W)	Foshee
Agee	Brassell	Crawford	Gafford
Bassett	Burgess	Dill	Garrett
Berryman (W)	Burgreen	Dobbs	Gloor
Blanton	Cameron	Doss	Graham
Bolton	Cherner	Downing	Grainger

Grayson	Kilgore	Melton	Smith
Hain	Laxson	Money	Snell
Hardin	Lemley	Nettles	Starnes
Harper	Lyons	Neville	Stembridge
Harris	Malone	Owen (Baldwin)	Tuck
Headley	Manley	Owens (W)	Turnham
Higginbotham	Marr	Paulk	Waggoner
Hill	Mays	Pearson	Watkins
Hobbie	McDonald	Pennington	Weeks
Holman	McElhaney	Perloff	Williams
Jackson (F)	McLain	Pruitt	Yeilding
Jackson (T)	Meeks	Sessions	Young
Jones			

—76

And the bill:

S. 473. To amend Section 3 (1) of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, as amended by Act No. 878, Acts of Alabama 1961, page 1377, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rules making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

Was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Ellis	Jackson (T)	Paulk
Adwell	Fine	Jones	Pearson
Agee	Foshee	Kilgore	Pennington
Bassett	Gafford	Laxson	Perloff
Berryman (W)	Garrett	Lemley	Pruitt
Blanton	Gloor	Lyons	Sessions
Bowers	Graham	Malone	Smith
Brannan	Grainger	Manley	Snell
Brassell	Grayson	Marr	Stembridge
Burgreen	Hain	McCorquodale	Stubbs
Cameron	Hardin	McElhaney	Tuck
Cherner	Harper	McLain	Turnham
Collier	Harris	Meeks	Waggoner
Collins (W)	Higginbotham	Money	Weeks
Crawford	Hobbie	Nettles	Williams
Dill	Holladay	Neville	Yeilding
Dobbs	Holman	Owen (Baldwin)	Young
Downing	Jackson (F)	Owens (W)	

—71

And the bill:

S. 474. To amend Section 6 (1) of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, as amended by Act No. 878, Acts of Alabama 1961, page 1377, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

Was read a third time at length and passed.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Ellis	Kilgore	Paulk
Adwell	Fine	Laxson	Pearson
Agee	Foshee	Lemley	Pennington
Bassett	Gafford	Lyons	Perloff
Berryman (W)	Garrett	Malone	Pruitt
Blanton	Gloor	Manley	Sessions
Bowers	Grainger	Marr	Shumate
Brannan	Grayson	Mays	Smith
Brassell	Hain	McCorquodale	Snell
Burgreen	Hardin	McDonald	Starnes
Cameron	Harper	McElhaney	Stembridge
Cherner	Harris	Meeks	Stubbs
Collier	Higginbotham	Melton	Tuck
Collins (W)	Hobbie	Money	Turnham
Crawford	Holladay	Nettles	Waggoner
Dill	Holman	Neville	Weeks
Dobbs	Jackson (F)	Owen (Baldwin)	Yeilding
Doss	Jackson (T)	Owens (W)	Young
Downing	Jones		—74

MOTION TO BRING UP S. 517

On motion of Mr. Bolton, the rules were suspended and permission granted to bring up out of order the bill, S. 517.

Yeas 59; Nays 6.

Yeas:

Mr. Speaker	Bowers	Cameron	Dobbs
Bank	Brannan	Collier	Doss
Berryman (W)	Brassell	Crawford	Downing
Bolton	Burgreen	Dill	Fine

Foshee	Jones	Owen (Baldwin)	Starnes	
Graham	Laxson	Owens (W)	Stembridge	
Grainger	Lybrand	Pearson	Stubbs	
Grayson	Lyons	Pennington	Tuck	
Hain	Marr	Perloff	Turnham	
Harper	McDonald	Pruitt	Waggoner	
Harris	McLain	Robertson	Weeks	
Hobbie	Meeks	Sessions	Williams	
Holladay	Melton	Slate	Yeilding	
Holman	Merrill	Smith	Young	
Jackson (F)	Nettles	Snell		—59

Nays:

Messrs.:	Jackson (T)	McElhaney	Money	
Garrett	Lemley	Meade		—6

And the bill:

S. 517. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an Act providing for appointment and designation of Supernumerary Circuit Judges.

Was read a third time at length and passed.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Fine	Lybrand	Pruitt	
Adwell	Foshee	Lyons	Robertson	
Agee	Gafford	Malone	Sessions	
Bassett	Garrett	Manley	Shumate	
Berryman (W)	Graham	Marr	Slate	
Blanton	Grainger	Mays	Smith	
Bolton	Grayson	McCorquodale	Starnes	
Bowers	Hain	McDonald	Stembridge	
Brannan	Hardin	McElhaney	Stubbs	
Brassell	Harris	Meeks	Tuck	
Burgreen	Hobbie	Melton	Turnham	
Cameron	Holladay	Merrill	Waggoner	
Collier	Holman	Money	Watkins	
Crawford	Jackson (F)	Nettles	Weeks	
Dill	Jackson (T)	Owen (Baldwin)	Williams	
Dobbs	Jones	Owens (W)	Yeilding	
Doss	Kilgore	Pennington	Young	
Downing	Laxson	Perloff		—71

MOTION TO BRING UP S. 747

On motion of Mr. Wright, the rules were suspended and permission granted to bring up out of order the bill, S. 747.

Yeas 61; Nays 8.

Yeas:

Mr. Speaker	Dill	Grainger	Laxson	
Agee	Dobbs	Grayson	Lemley	
Bank	Doss	Hain	Lybrand	
Berryman (W)	Downing	Harris	Lyons	
Brannan	Fine	Holladay	Malone	
Brassell	Foshee	Jackson (F)	Manley	
Burgreen	Garrett	Jones	Marr	
Collier	Graham	Kilgore	Mays	

McDonald	Paulk	Slate	Turnham
McLain	Pearson	Smith	Watkins
Melton	Pennington	Snell	Weeks
Merrill	Perloff	Starnes	Williams
Money	Pruitt	Stembridge	Wood
Nettles	Robertson	Stubbs	Wright
Owen (Baldwin)	Sessions	Tuck	Young
Owens (W)			—61

Nays:

Messrs.:	Crawford	Jackson (T)	Waggoner
Adwell	Gloor	McElhaney	Yeilding
Bowers			—8

And the bill:

S. 747. To authorize Alabama Trade School and Junior College Authority to sell and issue additional bonds for the construction, reconstruction, improvement, alteration, or equipping of junior colleges and trade schools; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this Act shall not create an obligation or debt of the State and shall be limited obligations payable solely from the revenues of said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this Act for that purpose; to provide that said bonds shall constitute negotiable securties even though payable from a limited source; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the State and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to direct the State Treasurer to pay the principal of and interest on said bonds out of the funds so appropriated and pledged; to provide that any portion of this Act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this Act.

Was taken up.

The motion of Mr. Gloor to indefinitely postpone the bill, S. 747, was lost.

Yeas 20; Nays 52.

Yeas:

Messrs.:	Culver	Kilgore	Turnham
Adwell	Gafford	Marr	Watkins
Bank	Hardin	McElhaney	Weeks
Bassett	Holman	Owens (W)	Wood
Brassell	Jackson (T)	Robertson	Yeilding
Cherner			—20

Nays:

Mr. Speaker	Cook (Jefferson)	Fine	Harper
Agee	Crawford	Foshee	Harris
Beck	Doss	Garrett	Haygood
Blanton	Downing	Grainger	Hill
Brannan	Drake	Grayson	Holladay
Burgreen	Edington	Hain	House

Jackson (F)	Manley	Money	Slate
Jones	McCorquodale	Nettles	Smith
Laxson	McDonald	Paulk	Starnes
Lemley	McLain	Pearson	Stembridge
Lybrand	Meade	Pennington	Tuck
Lyons	Melton	Pruitt	Williams
Malone	Merrill	Shumate	Wright

—52

RECESS

On motion of Mr. Pennington, the House recessed for two hours, until 8:00 o'clock P. M.

Yeas 46; Nays 37.

Yeas:

Mr. Speaker	Drake	Lemley	Perloff
Blanton	Edington	Lybrand	Pruitt
Brannan	Fine	Manley	Sessions
Brassell	Gafford	Marr	Shumate
Brown	Garrett	Mays	Slate
Burgess	Gloor	McCorquodale	Stembridge
Burgreen	Hain	Melton	Watkins
Cherner	Hill	Merrill	Weeks
Collier	Holman	Neville	Williams
Crawford	Jackson (T)	Paulk	Wood
Doss	Jones	Pennington	Yeilding
Downing	Kilgore		

—46

Nays:

Messrs.:	Foshee	House	Nettles
Agee	Graham	Jackson (F)	Owens (W)
Bank	Grainger	Lyons	Pearson
Bassett	Grayson	Malone	Robertson
Beck	Hardin	McDonald	Smith
Berryman (W)	Harper	McElhaney	Starnes
Bowers	Harris	Meade	Tuck
Cameron	Haygood	Meeks	Turnham
Cook (Jefferson)	Hobbie	Money	Wright
Ellis	Holladay		

—37

HOUSE RECONVENED

The hour of 8:00 o'clock P. M. having arrived, the House reconvened.

The Speaker called the House to order.

S. 747 RESUMED

And the bill, S. 747, was read a third time at length and passed.

Yeas 58; Nays 0.

Yeas:

Mr. Speaker	Burgreen	Downing	Garrett
Agee	Collins (C)	Drake	Graham
Bassett	Cook (Coffee)	Edington	Grainger
Brannan	Crawford	Fine	Harper
Brassell	Doss	Foshee	Haygood

Higginbotham	Marr	Owens (W)	Smith
Hobbie	McCorquodale	Owens (W.E.)	Snell
Holladay	McElhaney	Paulk	Stembridge
Holman	McLain	Pearson	Tuck
Jackson (F)	Meade	Pennington	Turnham
Kilgore	Melton	Perloff	Weeks
Laxson	Money	Pruitt	Wood
Lemley	Nettles	Shumate	Wright
Lyons	Neville	Slate	Young
Malone	Owen (Baldwin)		—58

RESOLUTION

The following resolution was introduced:

By Messrs. Ellis, Perloff, Kilgore, Culver and Cook (Jefferson):

H. J. R. 182. RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, THE SENATE CONCURRING, That, on any highway which is a part of the Interstate System as the term "Interstate System" is defined in Title 23, United States Code, Section 101, enacted August 27, 1958, no person shall operate a vehicle at a speed in excess of 75 miles per hour or at a rate of speed less than 55 miles per hour in the left lane.

RESOLVED FURTHER that the Highway Department shall be directed to erect proper signs for the speeds as herein outlined.

On motion of Mr. Ellis, the rules were suspended and H. J. R. 182 was adopted.

And the bill:

S. 528. To amend Act No. 551, H. 321, Regular Session 1967 (Acts 1967, Vol. II, p. 1300), an act to establish the Alabama Council on the Arts to change the name of said Council to the Alabama State Council on the Arts and Humanities and to exempt certain employees of the Council from the provisions of the state merit system and to provide for the duties and powers of such Council.

Was read a third time at length and passed.

Yeas 62; Nays 0.

Yeas:

Messrs.:	Fine	Lyons	Paulk
Agee	Foshee	Malone	Pearson
Bassett	Garrett	Manley	Pennington
Brannan	Grainger	Marr	Perloff
Burgreen	Grayson	Mays	Pruitt
Collins (C)	Hain	McCorquodale	Sessions
Cook (Coffee)	Hardin	McElhaney	Shumate
Cook (Jefferson)	Haygood	McLain	Smith
Crawford	Headley	Meade	Stembridge
Dill	Holladay	Melton	Tuck
Dobbs	Holman	Money	Turnham
Doss	Jackson (F)	Nettles	Waggoner
Downing	Jones	Neville	Weeks
Drake	Kilgore	Owen (Baldwin)	Wright
Edington	Laxson	Owens (W)	Yeilding
Ellis	Lemley	Owens (W.E.)	—62

MOTION TO BRING UP S. 617

On motion of Mr. Graham, the rules were suspended and permission granted to bring up the bill, S. 617.

And the bill:

S. 617. To provide for and regulate liens for work, labor and materials for installing paving, curbs, gutters, storm sewers, sanitary sewers and other improvements in or on public streets, avenues, alleys and other public ways.

Was read a third time at length and passed.

Yeas 51; Nays 0.

Yeas:

Mr. Speaker	Edington	Kilgore	Neville
Agee	Ellis	Laxson	Owen (Baldwin)
Bassett	Fine	Lemley	Owens (W)
Brannan	Foshee	Lyons	Pearson
Burgreen	Graham	Malone	Pennington
Cherner	Grainger	Manley	Pruitt
Cook (Coffee)	Hain	Mays	Sessions
Cook (Jefferson)	Hardin	McCorquodale	Shumate
Crawford	Haygood	McDonald	Starnes
Dill	Holladay	McElhaney	Tuck
Dobbs	Holman	McLain	Williams
Downing	House	Money	Yeilding
Drake	Jackson (F)	Nettles	—51

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO BRING UP S. 692

On motion of Mr. Lemley, the rules were suspended and permission granted to bring up out of order the bill, S. 692.

And the bill:

S. 692. Regulating the practice of radiologic technology, providing for appointment and operation of the Board of Radiologic Technologists Examiners for the State of Alabama; providing for examination and licensing of radiologic technologists; providing for the enforcement of this act; and prescribing penalties and fees.

Was taken up.

Mr. Lemley offered the following substitute to the bill, S. 692:

A BILL
TO BE ENTITLED
AN ACT

Regulating the practice of radiologic technology, providing for appointment and operation of the Board of Radiologic Technologists Examiners for the State of Alabama; providing for examination and licensing of radiologic technologists; providing for the enforcement of this act; and prescribing penalties and fees.

Be It Enacted by the Legislature of Alabama:

Section 1. Board of Radiologic Technologists created. There shall be a Board of Radiologic Technologists Examiners for the State of Alabama. Such board shall consist of seven members who shall be appointed by the Governor; four of whom shall be radiologic technologists of not less than two years experience, one of whom shall be a physician, and one a physician radiologist and one the Director, Division of Radiological Health of the State Health Department.

Section 2. Appointment of board by Governor. The Alabama Society of X-Ray Technologists through its executive committee, shall submit to the Governor a list containing the names of eight radiologic technologists who shall have completed two years in a school of training listed and approved by the Council on Medical Education and Hospitals of the American Medical Association, or who prior to the time of appointment, had served an apprenticeship instruction of at least two years under a qualified physician-radiologist, and who shall have been engaged in x-ray technology for not less than two years after completion of training. The Governor will appoint the four radiologic technologists to the board from this list. The State Committee of Public Health shall submit to the Governor a list containing the names of two physicians and two physician-radiologists from which the Governor shall appoint the physician and physician-radiologist members of said board. The Director, Division of Radiological Health of the State Health Department shall serve on this board so long as he holds said office.

Section 3. Term of office, vacancy. Radiologic Technologist members of the first board shall be appointed for terms of one, two, three and four years respectively. Subsequent appointments shall be made for a term of four years and until their successors are appointed and qualified. The physician and physician-radiologist on the first board shall be appointed for three and four year terms, respectively. Subsequent appointments shall be made for a term of four years and until their successors are appointed and qualified. Upon the expiration of the term of a member of the board the Governor shall appoint his or her successor in the same manner as the original appointments except that the names of radiologic technologists submitted to the Governor shall be licensed under this act. Vacancies shall be filled by the Governor in like manner from lists submitted by the Alabama Society of X-Ray Technologists in the case of radiologic technologists or the State Committee of Public Health in case of physician, physician-radiologist vacancies. Members of the board may succeed themselves for one additional four year term.

Section 4. Officers of board, seal, rules, etc. The members of the said board shall, as soon as organized and annually thereafter in the month of October, select from their number a president and a secretary-treasurer. The board shall adopt a seal which shall contain appropriate words and the imprint of such seal shall be placed on all certificates of licensure, and also on such documents as the board shall direct. Said board shall be charged with the duty and responsibility of carrying into effect the purposes and objects of this act.

Section 5. Record of meetings, licensure of applicants. The secretary-treasurer shall keep a record of all meetings of the board, and the official register of all applicants for licensure under the provisions of this act, and shall perform such other duties as may be prescribed by the board. Said register shall show the name, age, nativity, and place of residence of each applicant, and also whether the applicant was examined, licensed, or rejected under the provisions hereof; and said register shall be prima facie evidence of all matters therein contained and shall be open at all reasonable times to public inspection.

Section 6. Receipts and disbursements by secretary-treasurer, bond, annual report. All moneys received for fees or otherwise under the provisions of this act shall be received by the secretary-treasurer, and shall be handled and disbursed by such officers in such manner and for such purposes as may be prescribed by the board. The secretary-treasurer shall give bond payable to the board in such sum as the board may direct, conditioned to discharge the duties of said office according to law, which bond shall be approved by the president and the premium therefor paid by the board. The secretary-treasurer shall make an annual report to the board; including a financial statement, containing an itemized statement of all receipts and the disbursements and such other information as the board may require.

Section 7. Meetings, quorum, notice. The board shall meet at least once in each year for the purpose of holding examinations as in this act provided, and at such other times as the board may deem appropriate. Special meetings of the board shall be called by the secretary-treasurer upon request of the president, or upon written request of any two members of the board. Four members of the board including at least one physician board member shall constitute a quorum. Notice of each meeting shall be given each member of the board at least three days before the date of such meeting, and the notice of each meeting called for the purpose of holding examinations shall be given to the public press, and by mail to each applicant for examination and to every approved training school in Alabama, at least thirty days prior to the date of such meeting.

Section 8. Compensation and expenses, fund for enforcement of act. The secretary-treasurer shall receive a salary to be fixed by the board; and each member of the board shall be reimbursed for expenses necessarily incurred in attending meetings of the board. All fees collected by said board shall be placed in a fund which is hereby established solely for the use of the said board in carrying out the provisions of this act. Any funds remaining after the payment of costs and expenses as in this act provided, may be used by the board for the purpose of promoting educational and professional standards of radiologic technologists and of radiologic technology in this state.

Section 9. General qualifications of applicants. Every applicant for licensure in any or all of the three specialties of radiologic technology must be a citizen of the United States or have filed a declaration of intention or a petition for naturalization for United States citizenship, must reside in Alabama or be employed in Alabama, must have a high school education or the equivalent as documented by evidence acceptable to the board and must be of good moral character.

Section 10. Radiologic technologist defined. A radiologic technologist, within the meaning of this act, is a person who is licensed in any of the following: X-ray technology, nuclear medicine technology, radiation therapy technology.

Section 11. Licensure in X-ray technology. Applicants must have successfully completed a program of formal training of not less than twenty-four months duration which has been approved by the Council of Medical Education of the American Medical Association. Applicants receiving parts of the twenty-four months training in more than one approved school must have satisfactory recommendations from each supervising radiologist as to time applicant spent in training under his supervision. All of the twenty-four months must be within an approved program of training. All applicants shall furnish full information regarding age, education, training and experience, and a recent photograph. The radiological supervisor and the supervising technologist under whom an applicant for a license received his training shall attest to the fact that such applicant received such training on the application form.

Applications shall be filed with the board of radiologic technologists together with a fee of 15 dollars. Group examinations shall be held annually at a time set by the board. Applications for these examinations must be postmarked not later than thirty days prior to the time set for the examination. No examinations will be held in connection with meetings of any kind. Individual examinations will not be permitted except to an applicant denied participation in a regular group examination through error or omission by the board, or to a person furnishing valid and acceptable reasons to the board for failure or inability to attend a group examination. The board of radiologic technologists shall give an examination similar to the examination given applicants for registration in X-ray technology with the American Registry of Radiologic Technologists. A written examination shall be required in the subjects of radiographic techniques, standard positioning, anatomy, X-ray physics, the dark room, special procedures, radiation protection, medical terminology, professional ethics and related nursing. Examination questions shall be prepared and selected by the board of radiologic technologists. If the applicant shall pass said examination to the satisfaction of the board, the board shall cause the name of the applicant to be entered upon the register kept for the purpose, and shall cause to be issued to the applicant a license authorizing him or her to practice the profession of X-ray technology in this state. An applicant failing the examination the first time may repeat it without additional fee at such time and place as the board may specify. An applicant having failed the examination twice may be admitted to one succeeding examination on payment of an additional fee of ten dollars.

Alternate Qualification. Until January 1, 1971, as an alternate to the twenty-four months in an American Medical Association approved school, applicants may submit documentary evidence from a physician licensed in Alabama or a hospital of employment for two of the prior three years as an X-ray technologist and be eligible for a waiver license without examination. Applicants for waiver license must meet the requirements of Section 9 of this act.

Section 12. Licensure in nuclear medicine technology. Applicants shall have at least one year of full time experience in clinical radioisotope work, including didactic experience equivalent to the radiosotope curriculum recommended by the American Society of Radiologic Technologists jointly with the commission on Technician Affairs of the American College of Radiology or proposed by the Registry of Medical Technologists. In addition, applicants must meet at least one of the following conditions:

1. Graduation from an American Medical Association approved program in X-ray Technology.

2. Certification as an X-ray technologist by the American Registry of Radiologic Technologists.

3. Certification as a Medical Technologist by the Registry of Medical Technologists.

4. Registration and licensure as a professional nurse.

5. A baccalaureate degree from an accredited institution.

6. Licensed as an X-ray technician by the Alabama Board of Radiologic Technologists.

Alternate Qualification. Until January 1, 1971, as an alternate to the said qualifications applicants may submit documentary evidence of two years employment as a nuclear medicine technician in a radioisotope laboratory or department, accepted by the board of radiologic technologists and be eligible to take the examination in Nuclear Medicine Technology.

A written examination will be required in the subjects of mathematics, basic radiation physics, interaction of ionizing radiation with matter, interaction of radiation with biological systems, basic nuclear radiation physics, instrumentation, and radiation safety, records and administration, clinical laboratory equipment and procedures, diagnostic uses of radioactive isotopes and therapeutic uses of radioisotopes.—If the applicant shall pass said examination to the satisfaction of the board, the board shall cause the name of the applicant to be entered upon the register kept for that purpose, and shall cause to be issued to the applicant a license authorizing him or her to practice nuclear medicine technology in this state. Procedures of examination assignments, reassignments and reporting of results shall be same as those for examination in X-ray technology.

Section 13. Licensure in radiation therapy technology. Applicants must have successfully completed a twelve-month course in radiation therapy technology as prescribed by the American College of Radiology, The American Society of Radiologic Technologists and the American Registry of Radiologic Technologists. In addition an applicant must meet at least one of the following conditions:

1. Graduation from a two-year program in X-ray technology approved by the Council on Medical Education of the American Medical Association.

2. Certification as an X-ray technologist by the American Registry of Radiologic Technologists.

3. Certification as a nuclear medicine technologist by the American Registry of Radiologic Technologists.

4. Registration and licensure as a professional nurse.

5. Licensed as an X-ray or nuclear medicine technologist by the Alabama Board of Radiologic Technologists.

Alternate qualification. Until January 1, 1971, as an alternate to the said qualifications applicants may submit documentary evidence of two years employment as a radiation therapy technician in a department accepted by the Alabama Board of Radiologic Technologists and be eligible to take the examination on radiation therapy technology. Application processing procedures shall be the same as those for applicants in X-ray technology. A written examination shall be required in the subjects of nursing procedures, mathematics, radiation physics, physical concepts used in radiation therapy, fundamentals of radiobiology, pathology and radiopathology, protection and shielding, clinical radiation therapy and solid sources of radiation. If the applicant shall pass said examination to the satisfaction of the board, the board shall cause the name of the applicant to be entered upon the registry kept for the purpose, and shall cause to be issued to the applicant a licensure authorizing him or her to practice radiation therapy technology in this state. Procedures for examination assignments, reassignments and reporting results shall be the same as those for examination in X-ray technology.

Section 14. Form of license. All three of the licenses herein provided for shall be in such form as may be prescribed by the board, and shall be signed by the president and secretary-treasurer, and the seal of the board shall be affixed.

Section 15. Registration without examination. All radiologic technologists registered as such with the American Registry or Radiologic Technologists shall be entitled to a license, in the profession they are registered in, without examination upon making an approved application therefor and the payment of a registration fee of ten dollars.

Section 16. Annulment or revocation of license. The board shall have the power to annul and revoke any license issued by said board for incompetency or unprofessional conduct on the part of the holder of such license after a full and fair investigation and a hearing on the charge preferred. Such charges shall be submitted in writing and under oath, and thirty days prior to the hearing, thereof a copy of the charges shall be furnished the accused together with a written notice of the time and place where said charges will be heard and determined. The president and secretary-treasurer of the board are hereby empowered to administer oaths to the witnesses at any such hearing, and all witnesses shall be sworn and shall be subject to prosecution for perjury as provided by law, and the accused shall be entitled to representation by counsel. No revocation shall be made except upon a majority vote of the full board, and upon revocation of any license same shall be null and void, and the secretary-treasurer shall strike the name of the holder thereof from the registry of licensed radiologic technologists.

Section 17. Judicial Review; Right of Appeal. From any order of the board refusing to issue a license or license certificate or revoking or suspending a license or license certificate any party affected thereby may bring an action in the circuit courts to set aside said order on the ground that the same is unlawful or arbitrary. Appeals shall be made within 30 days of the board's action from which the appeal is made.

Section 18. Renewal of license, reinstatement. Licenses hereunder shall be renewed annually during the months of November and December. Upon making application for renewal the applicant shall pay to the board a renewal fee of five dollars. The failure of any licensed radiologic technologist to procure a renewal license before the first day of January of each year, shall automatically forfeit his or her right to practice in the State of Alabama as a licensed radiologic technologist. Any person who has forfeited his or her rights as provided in this section may obtain reinstatement by making explanation or excuse satisfactory to the board for failure to comply with the provisions hereof, and upon payment of a fee of ten dollars for the current year. Residence or employment in Alabama is not required for renewal of a license.

Section 19. Punishment for violation of act. After January 1, 1971, any person practicing as a technician in X-ray, other than a licensed X-ray technologist, shall be guilty of a misdemeanor. After said date any person demonstrating portions of the human body on an X-ray film or fluoroscopic screen, other than a licensed physician, dentist or licensed X-ray technologist, or a student in an American Medical Association approved school of radiologic technology, shall be guilty of a misdemeanor.

After January 1, 1971, any person practicing as a nuclear medicine technologist, other than a licensed nuclear medicine technologist, shall be guilty of a misdemeanor, After said date any person using radioactive isotopes to assist in the diagnosis and, or treatment of illness or injury, other than a licensed nuclear medicine technologist, licensed physician, or a student in an American Medical Association approved school, shall be guilty of a misdemeanor.

Any person who violates any of the provisions of this act or who shall wilfully make any false representation to the board in applying for a license, shall be guilty of a misdemeanor. Upon conviction of any of the said misdemeanors the fine shall be not less than fifty dollars nor more than five hundred dollars.

Section 20. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 21. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker	Edington	Lemley	Paulk
Agee	Fine	Lyons	Pearson
Bassett	Foshee	Malone	Pennington
Berryman (W)	Garrett	Manley	Perloff
Blanton	Graham	Marr	Pruitt
Brannan	Grainger	McCorquodale	Sessions
Burgreen	Hain	McDonald	Smith
Collins (C)	Hardin	McElhaney	Starnes
Cook (Coffee)	Harris	McLain	Tuck
Crawford	Holladay	Melton	Turnham
Dill	Holman	Nettles	Waggoner
Dobbs	Jackson (F)	Neville	Williams
Downing	Kilgore	Owens (W)	Yeilding
Drake	Laxson	Owens (W.E.)	—55

And the bill, S. 692, as thus amended, was read a third time at length and passed.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker	Edington	Lemley	Paulk
Agee	Fine	Lyons	Pearson
Bassett	Foshee	Malone	Pennington
Berryman (W)	Garrett	Manley	Perloff
Blanton	Graham	Marr	Pruitt
Brannan	Grainger	McCorquodale	Sessions
Burgreen	Hain	McDonald	Smith
Collins (C)	Hardin	McElhaney	Starnes
Cook (Coffee)	Harris	McLain	Tuck
Crawford	Holladay	Melton	Turnham
Dill	Holman	Nettles	Waggoner
Dobbs	Jackson (F)	Neville	Williams
Downing	Kilgore	Owens (W)	Yeilding
Drake	Laxson	Owens (W.E.)	—55

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 28. To make it unlawful for a person to operate a motor vehicle loaded with gravel or other like substances in such manner that the contents of the vehicle spill out and endanger the property and safety of motorists and pedestrians, and to prescribe the punishment therefor.

And the President and Presiding Officer of the Senate has appointed as Conferees on part of the Senate Messrs. Vacca, Gilmore and Turner.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 643. To propose a constitutional amendment relative to levying additional taxes in Talladega County for public school purposes.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a Committee on Conference to reconcile the disagreement of the two Houses on the Senate amendment to the Bill:

H. 288. To create a retirement system for peace officers as defined herein; to create the Board of Commissioners of the Alabama Peace Officers' Annuity and Benefit Fund and to establish the said Fund; to provide for the method of selection of the members of the said Board and their successors, and to fix their compensation; to provide for the organization and operation of the said Board and the employment of an executive director; to fix the maximum salary of such executive director, and to define his powers; to provide for the disposition of monies received by the said Fund, for the depositories therefor, and the investment thereof; to specify the powers of the said Board, and to require the maintenance of books and records; to define those eligible for benefits from the said Fund and the conditions precedent to and terms of service required for receipt of such benefits; to fix a monthly fee for each member of the said Fund and to provide for conditions of membership in the said Fund; to impose additional costs in all criminal and quasi criminal proceedings for the violation of laws of the state or municipal ordinances; to provide for the payment of such costs to the said Fund; to specify retirement, disability and death benefits for members of the said Fund and to establish the conditions precedent to the receipt of such benefits; to require that the Fund be operated on an actuarially-sound basis and that actuarial reports be regularly rendered; to provide for an adjustment of benefits in response to any such report; to provide for refunds of contributions by members; to provide for the military service and change of employment by members of the said Fund; to require semiannual reports and annual audits of the Fund; to make all rights, annuities and benefits subjects to future change by the Legislature; to restrict the assignability of rights hereunder; to provide that the rights granted hereunder are cumulative to all other rights; to provide for the partial invalidity of any provision hereof, to make an appropriation for payment of the expenses of the said Board; and to provide for the effective date of this Act.

And the President and Presiding Officer of the Senate has appointed as Conferees on part of the Senate Messrs. Cooper, Folsom and Harris.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 894. To amend Act No. 263, S. 410, Regular Session 1967 (Acts 1967, p. 743), an Act regulating further the sale and consumption of alcoholic beverages in all counties having populations of not less than 65,000 nor more than 95,000 according to the most recent federal decennial census, in order to provide further for places in which such beverages may be sold, to authorize and provide for the use of stamps, crowns or decals to evidence payment of the tax levied by said Act, and to provide further for the enforcement of the Act and prescribe additional penalties for violations of the Act, to provide additional taxation.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 8. To provide for the mandatory inspection of the slaughter of cattle, sheep, swine, goats, and equines, and poultry, and the preparation of the carcasses, parts thereof, meat and meat food products of such animals; solely for distribution in this State; for the regulation of related industries; for the cooperation with the United States Department of Agriculture; for quarantine, seizure, condemnation and destruction of carcasses, parts thereof and meat and poultry products; for promulgation of regulations; prohibiting certain acts relative to said meat and meat products, the preparation, transportation, labeling and distribution thereof, and providing penalties; the designation of the Commissioner of Agriculture and Industries of the State of Alabama as the supervising agency of the State of Alabama and the authorization of the said Commissioner and the Board of Agriculture and Industries of the State of Alabama to promulgate rules and regulations relating to all of the aforesaid; and to make an appropriation for the purpose of carrying out the provisions of this Act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 719. Relating to the practice of barbering in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. B. 858. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 115,000 and not more than 165,000 people according to the last federal decennial census; providing for a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill:

H. 822. To amend the title and Section 1 of Act No. 821 of the 1965 Regular Session of the Legislature of Alabama, regulating the fluoridation of water supplies in counties having a population of 400,000 according to the last or any succeeding federal census.

And said Bill, H.B. 822, together with the Conference Report, is herewith returned to the House.

McDOWELL LEE,
Secretary.

REPORT OF COMMITTEE ON CONFERENCE

We, your Committee on Conference, appointed on the disagreement of the two houses on the Senate substitute to House Bill No. 822, beg leave to report as follows:

(1) We recommend that the House and the Senate adopt the attached Conference Committee substitute for the bill.

NEWMAN M. YEILDING
Chairman
RAYMOND WEEKS
RICHARD F. DILL
Conferees on the part of the House

GEORGE LEWIS BAILES, JR.
LELAND CHILDS
RICHARD DOMINICK
Conferees on the part of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 252. To amend Act No. 812, H. 1282, Regular Session 1965, which authorizes the designation of voting centers and further provides for and regulates the manner of conducting elections in counties in this state having populations of not less than 300,000 nor more than 500,000 inhabitants according to the most recent federal decennial census.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 615. To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 519. To provide that certain School Lunchroom Managers and Assistant Lunchroom Managers may become members of the Teachers' Retirement System of Alabama and shall receive all the benefits provided for teachers under the provisions of the Code of Alabama 1940, Title 52, Chapter 14; to place the duty of collecting the employees' contributions to the Teachers' Retirement System on the County or City Board of Education employing such School Lunchroom Managers and Assistant Lunchroom Managers and also the duty of remitting to the Secretary-Treasurer of the Retirement System the employees' contributions to the Retirement System; to provide for the payment of the Employer contributions as necessary and providing for prior service of such School Lunchroom Managers and Assistant Lunchroom Managers out of funds in the Alabama Special Educational Trust Fund, and to make an appropriation to carry out the provisions of this Act.

McDOWELL LEE,
Secretary.

MOTION TO BRING UP S. 549 LOST

The motion of Mr. Haygood to suspend the rules and bring up out of order the bill, S. 549, was lost.

Yeas 43; Nays 20.

Yeas:

Mr. Speaker	Downing	House	Owens (W)
Agee	Drake	Jackson (F)	Pearson
Bank	Edington	Lemley	Pennington
Berryman (W)	Foshee	Manley	Perloff
Blanton	Garrett	Marr	Robertson
Brown	Graham	Mays	Smith
Cook (Coffee)	Grayson	McDonald	Springer
Cook (Jefferson)	Harper	McElhaney	Tuck
Culver	Haygood	Meade	Williams
Dobbs	Hill	Melton	Wood
Doss	Holladay	Money	

—43

Nays:

Messrs.:	Ellis	Holman	Pruitt
Bassett	Fine	Kilgore	Starnes
Burgreen	Gafford	Lyons	Stembridge
Cherner	Hardin	Nettles	Waggoner
Collins (C)	Harris	Paulk	Weeks
Crawford			—20

MOTION TO BRING UP S. 846

On motion of Mr. Harper, the rules were suspended and permission granted to bring up out of order the bill, S. 846.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Doss	Holman	Paulk
Agee	Downing	House	Pearson
Bank	Drake	Jackson (F)	Pennington
Bassett	Edington	Kilgore	Perloff
Berryman (W)	Fine	Lemley	Pruitt
Blanton	Foshee	Lyons	Robertson
Brannan	Garrett	Manley	Sessions
Brown	Graham	Marr	Smith
Burgreen	Grayson	Mays	Springer
Collier	Hain	McDonald	Tuck
Collins (C)	Hardin	McElhaney	Turnham
Cook (Coffee)	Harper	Melton	Waggoner
Cook (Jefferson)	Harris	Money	Watkins
Crawford	Headley	Nettles	Weeks
Culver	Hill	Owen (Baldwin)	Williams
Dobbs	Holladay	Owens (W)	—63

And the bill:

S. 846. To make a conditional appropriation from the state treasury for the construction, equipment and furnishing of a substation in Tallapoosa County for the Department of Public Safety.

Was read a third time at length and passed.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Drake	House	Paulk
Agee	Edington	Jackson (F)	Pearson
Bassett	Ellis	Kilgore	Pennington
Berryman (W)	Fine	Laxson	Perloff
Blanton	Foshee	Lemley	Pruitt
Brannan	Garrett	Lyons	Robertson
Burgreen	Graham	Manley	Sessions
Collier	Grayson	Marr	Smith
Collins (C)	Hain	Mays	Springer
Cook (Coffee)	Hardin	McDonald	Starnes
Cook (Jefferson)	Harper	McElhaney	Tuck
Crawford	Harris	Melton	Turnham
Dill	Headley	Money	Waggoner
Dobbs	Hill	Nettles	Watkins
Doss	Holladay	Owens (W)	Williams
Downing	Holman		—62

MOTION TO BRING UP S. 515

On motion of Mr. Smith, the rules were suspended and permission granted to bring up out of order the bill, S. 515:

Yeas 60; Nay 1.

Yeas:

Messrs.:	Downing	Holman	Owens (W)
Agee	Drake	House	Paulk
Bank	Edington	Jackson (F)	Pearson
Bassett	Ellis	Kilgore	Pennington
Berryman (W)	Fine	Laxson	Perloff
Blanton	Foshee	Lemley	Pruitt
Brannan	Garrett	Lyons	Robertson
Burgreen	Grayson	Manley	Sessions
Collins (C)	Hain	Marr	Smith
Collins (W)	Hardin	Mays	Starnes
Cook (Coffee)	Harper	McDonald	Tuck
Cook (Jefferson)	Harris	McElhaney	Williams
Crawford	Headley	Melton	Wood
Culver	Hill	Money	Wright
Dobbs	Holladay	Nettles	Yeilding
Doss			—60

Nay: Mr. Graham —1

And the bill:

S. 515. To amend Code of Alabama 1940, Title 15, Section 277, so as to eliminate the necessity of impaneling a jury in certain criminal cases when the defendant, upon arraignment or prior to trial, pleads guilty.

Was read a third time at length and passed.

Yeas 65; Nay 1.

Yeas:

Mr. Speaker	Doss	Holman	Paulk
Agee	Downing	House	Pearson
Bank	Drake	Jackson (F)	Pennington
Bassett	Edington	Kilgore	Perloff
Berryman (W)	Ellis	Laxson	Pruitt
Blanton	Fine	Lemley	Robertson
Brannan	Foshee	Lyons	Sessions
Burgreen	Garrett	Malone	Smith
Cherner	Grayson	Manley	Starnes
Collier	Hain	Marr	Tuck
Collins (C)	Hardin	Mays	Turnham
Collins (W)	Harper	McDonald	Watkins
Cook (Coffee)	Harris	McElhaney	Williams
Cook (Jefferson)	Headley	Melton	Wood
Crawford	Hill	Money	Wright
Culver	Holladay	Owens (W)	Yeilding
Dobbs			—65

Nay: Mr. Graham —1

MOTION TO BRING UP S. 220

On motion of Mr. McCorquodale, the rules were suspended and permission granted to bring up out of order the bill, S. 220.

Yeas 55; Nays 0.

Yeas:

Mr. Speaker	Edington	Kilgore	Paulk	
Agee	Fine	Laxson	Pearson	
Bassett	Foshee	Lemley	Pennington	
Berryman (W)	Garrett	Lyons	Perloff	
Blanton	Graham	Malone	Pruitt	
Brannan	Grayson	Manley	Sessions	
Burgreen	Hain	Marr	Smith	
Cherner	Hardin	Mays	Starnes	
Collier	Harris	McCorquodale	Tuck	
Cook (Coffee)	Headley	McDonald	Watkins	
Crawford	Hill	McElhaney	Williams	
Dobbs	Holladay	Money	Wood	
Downing	House	Nettles	Yeilding	
Drake	Jackson (F)	Owens (W)		—55

And the bill:

S. 220. To amend further Act No. 533, S. 166, approved September 13, 1957, (Acts of Alabama, 1957 Regular Session, page 750), entitled, "An Act to create a Board to be known as the State Board of Registration for Foresters; to provide for the qualification of members of said Board; to provide for the appointment of the members of said Board; to provide for their terms of office; to provide for the organization of said Board; to provide for the powers and duties of said Board; to provide for the registration of Foresters; to provide for the recording of licenses; to provide for the definition of the practice of Forestry; to provide for the revocation of licenses; to provide for fees for the issuance and recording of such licenses; to provide for reciprocity; to create a special fund to be known as the 'Professional Foresters Fund', and to regulate expenditures therefrom; to repeal all laws in conflict with this Act; and to make an appropriation," as amended by Act No. 141, S. 108, approved September 15, 1961, (Acts of Alabama, 1961 Special Session, page 2082).

Was read a third time at length and passed.

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Edington	Kilgore	Owens (W)	
Agee	Fine	Laxson	Paulk	
Bassett	Foshee	Lemley	Pearson	
Berryman (W)	Garrett	Lyons	Pennington	
Blanton	Graham	Malone	Perloff	
Brannan	Grayson	Manley	Pruitt	
Burgreen	Hain	Marr	Sessions	
Cherner	Hardin	Mays	Smith	
Collier	Harris	McCorquodale	Starnes	
Cook (Coffee)	Headley	McDonald	Tuck	
Crawford	Hill	McElhaney	Watkins	
Culver	Holladay	Melton	Wood	
Dobbs	Holman	Money	Wright	
Downing	House	Nettles	Yeilding	
Drake	Jackson (F)	Owen (Baldwin)		—59

MOTION TO BRING UP S. 760 LOST

The motion of Mr. Ellis to suspend the rules and bring up out of order the bill, S. 760, was lost.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the following Senate Bill:

S. 125. Pertaining to the salaries, tenure and removal of supernumerary district attorneys.

and requests a Committee on Conference.

And the President and Presiding Officer of the Senate has appointed as Conferees on part of the Senate Messrs. Pierce, Engel and O'Bannon.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the House acceded to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 125.

And the Speaker named as a Committee of Conference on the part of the House Messrs. Cook (Coffee), Downing and Pruitt.

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning House Bill No. 1392 with a suggested Executive Amendment.

Respectively submitted,

ROBERT M. CLECKLER,
Executive Secretary.

September 4, 1969

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you herewith, the body in which it originated, House Bill No. 1392, without my approval.

I respectfully suggest that said bill be amended as follows:

Amend Section 2 of H. B. 1392 by deleting the figures "1972" where they appear in said Section 2 and insert in lieu thereof the figures "1971".

Further Amend H. B. 1392 by striking therefrom in its entirety Section 5 of said H. B. 1392 and insert in lieu thereof the following:

"Section 5. That the judge of said court shall be paid an annual salary of thirteen thousand dollars ($13,000.00) from the effective date of this act through December 31, 1970. Effective January 1, 1971, the judge of said court shall be paid an annual salary of fifteen thousand

dollars ($15,000.00). Said salary to be paid out of the treasury of the said county in 24 equal semi-monthly installments, or as other County employees are paid."

Further amend House Bill No. 1392 by striking therefrom in its entirety Section 35 of said H. B. 1392 and insert in lieu thereof the following:

"Section 35. This Act shall become effective on October 1, 1969."

The Jefferson County delegation in the Senate and the House of Representatives is in agreement as to the effective date of this bill, and it is at their request that this Executive Amendment is made.

Respectfully,

ALBERT P. BREWER,
Governor.

September 4, 1969

GOVERNOR'S MESSAGE

On motion of Mr. Cook (Jefferson), the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 1392, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Holman	Owen (Baldwin)
Agee	Downing	House	Owens (W)
Bank	Drake	Jackson (F)	Pearson
Bassett	Edington	Kilgore	Pennington
Berryman (W)	Fine	Laxson	Perloff
Blanton	Foshee	Lemley	Pruitt
Brannan	Garrett	Lyons	Robertson
Burgreen	Graham	Manley	Sessions
Cherner	Grayson	Marr	Smith
Collier	Hain	Mays	Starnes
Collins (W)	Hardin	McCorquodale	Stembridge
Cook (Coffee)	Harris	McDonald	Tuck
Cook (Jefferson)	Haygood	Melton	Williams
Crawford	Hill	Money	Wood
Culver	Holladay	Nettles	Yeilding
Dill			

—61

Which was a majority of the whole number elected to the House.

And said bill:

H. 1392. To establish an Inferior Court in Precincts 4, 5, 6, 7, 8, 9 and 10 and all other precincts lying within or partly within the City of Birmingham in lieu of all Justices of the Peace in said precincts, and in lieu of all Notaries Public with powers of Justices of the Peace and with concurrent Jurisdiction with all other Justices of the Peace and Inferior Courts created in lieu of Justices of the Peace in the Birmingham Division of Jefferson County, Alabama, where the amount in controversy is $100.00 or less; this court shall be a court of record and shall have concurrent jurisdiction with the Circuit Court, Tenth Judicial Circuit of Alabama, Birmingham Division, sitting in Birmingham, and with such other inferior courts in Jefferson County where the amount in controversy exceeds the sum of $100.00 and does not exceed the sum of $500.00; to define the jurisdiction and powers of said Court, the judge, clerks

and other officers thereof: to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election, and the payment of his salary: to provide for the abolishment of the Court of General Sessions of Jefferson County formerly known as the Counrt of Common Claims: to provide for the transfer of all pending cases and records of the said court to the court created by this Act.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Pearson
Agee	Drake	Kilgore	Pennington
Bassett	Edington	Laxson	Perloff
Berryman (W)	Fine	Lemley	Pruitt
Blanton	Foshee	Lyons	Robertson
Brannan	Garrett	Manley	Sessions
Burgreen	Graham	Marr	Smith
Collier	Grayson	Mays	Starnes
Collins (C)	Hain	McCorquodale	Stembridge
Collins (W)	Hardin	McDonald	Tuck
Cook (Coffee)	Harris	Melton	Watkins
Cook (Jefferson)	Haygood	Money	Williams
Crawford	Hill	Nettles	Wood
Culver	Holladay	Owen (Baldwin)	Yeilding
Dill	Holman	Owens (W)	Young
Dobbs	House		—62

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has non-concurred in the House amendment to the following Senate Bill:

S. 637. To limit the period in which an appeal may be taken to the Supreme Court from any action or proceeding to set aside, contest or question the validity of any bonds issued by the State of Alabama, or by any department, commission, board, public corporation, authority, or other agency or instrumentality thereof; to set the time for the filing of the transcript of such appeal in the Supreme Court and of appellant's and appellee's briefs therein, and to establish a procedure for the hearing of such appeals by the Supreme Court.

and requests a Committee on Conference.

And the President and Presiding Officer of the Senate has appointed as Conferees on part of the Senate Messrs. Pierce, Radney and Bailes.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the House acceded to the request of the Senate for a Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 637.

And the Speaker named as a Committee of Conference on the part of the House Messrs. Springer, Laxson and Paulk.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 614. To amend further Section 706, Title 51, Code of Alabama (1940), as amended, by providing further for the transfer of ownership of motor vehicle license tags.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McCorquodale, the House concurred in and adopted the Senate amendment to the bill, H. 614, said Senate amendment being as follows:

Amend House Bill 614 by striking from Section 1, Section 706, Paragraph (B) strike the phrase "in excess of one hundred dollars ($100.00)" where it appears and insert in lieu thereof the following:

"One hundred dollars ($100.00) or more"

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Drake	Laxson	Pennington
Agee	Fine	Lemley	Perloff
Bassett	Foshee	Lyons	Pruitt
Berryman (W)	Garrett	Malone	Robertson
Brannan	Graham	Manley	Sessions
Brassell	Grayson	Marr	Smith
Burgreen	Hain	Mays	Snell
Cherner	Hardin	McCorquodale	Starnes
Collier	Harper	McDonald	Stembridge
Collins (W)	Harris	McElhaney	Tuck
Cook (Jefferson)	Haygood	Melton	Turnham
Crawford	Hill	Money	Williams
Culver	Holladay	Nettles	Wood
Dill	House	Owen (Baldwin)	Yeilding
Dobbs	Jackson (F)	Pearson	Young
Downing			

—61

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning House Bill No. 682 with a suggested Executive Amendment.

Respectively submitted,

ROBERT M. CLECKLER,
Executive Secretary.

AUGUST 21, 1969

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you herewith, the Body in which it originated, House Bill No. 682 without my approval.

I respectfully suggest that House Bill 682 be amended by adding at the end of the second sentence in Section 2(a) the following:

"In exercising jurisdiction in juvenile court cases the provisions of Chapter 7, Title 13, Code of Alabama 1940, and amendments shall apply."

I have discussed this amendment with the sponsor of this legislation and it is at his request that this Executive Amendment is made.

Respectfully,

ALBERT P. BREWER,
Governor.

AUGUST 21, 1969

GOVERNOR'S MESSAGE

On motion of Mr. Burgreen, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 682, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 69; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Owens (W.E.)
Agee	Drake	Kilgore	Pearson
Bassett	Edington	Laxson	Pennington
Berryman (W)	Fine	Lemley	Perloff
Blanton	Foshee	Lybrand	Robertson
Brannan	Garrett	Lyons	Sessions
Brassell	Graham	Manley	Smith
Burgess	Grayson	Marr	Snell
Burgreen	Hain	Mays	Starnes
Collier	Hardin	McCorquodale	Stembridge
Collins (W)	Harper	McDonald	Tuck
Cook (Coffee)	Harris	McElhaney	Turnham
Cook (Jefferson)	Haygood	Meade	Waggoner
Crawford	Headley	Melton	Williams
Culver	Higginbotham	Money	Wood
Dill	Holladay	Nettles	Yeilding
Dobbs	House	Owen (Baldwin)	Young
Doss			

—69

Which was a majority of the whole number elected to the House.

And said bill:

H. 682. To create and establish in Limestone County in lieu of the existing court created by Act No. 199, H. 603, Regular Session 1947 (Local Acts 1947, p. 113) and amendments thereto, a court of record with county-wide limited jurisdiction of criminal cases and civil actions at law and equity to be known as the Limestone County Superior Court; to provide for its procedure, costs and fees; to provide for its officers, their duties, power and compensation, and to provide for the transfer of cases.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Drake	House	Owen (Baldwin)
Agee	Edington	Jackson (F)	Owens (W.E.)
Bassett	Fine	Kilgore	Pearson
Berryman (W)	Foshee	Laxson	Pennington
Blanton	Garrett	Lemley	Perloff
Brannan	Graham	Lybrand	Robertson
Brassell	Grayson	Lyons	Sessions
Burgreen	Hain	Manley	Smith
Collier	Hardin	Marr	Snell
Collins (W)	Harper	Mays	Stembridge
Cook (Coffee)	Harris	McCorquodale	Tuck
Cook (Jefferson)	Haygood	McDonald	Turnham
Culver	Headley	McElhaney	Waggoner
Dill	Higginbotham	Meade	Williams
Dobbs	Holladay	Melton	Wood
Downing	Holman	Money	Young

—64

Which was a majority of the whole number elected to the House.

RESIGNATION OF LEGISLATIVE AGENT

At the request of Mr. Paulk, the House accepted the resignation of Mr. Benjamin B. Spratlin as Legislative Agent for Macon County.

LEGISLATIVE AGENT ELECTED

On motion of Mr. Paulk, Mrs. Sarah A. Reynolds was nominated as Legislative Agent from Macon County, Alabama.

And the motion was adopted and Mrs. Reynolds elected.

Yeas 80; Nay 1.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Pearson
Agee	Drake	Kilgore	Pennington
Bassett	Edington	Laxson	Perloff
Beck	Ellis	Lemley	Pruitt
Berryman (W)	Fine	Lybrand	Robertson
Blanton	Gafford	Lyons	Shumate
Brannan	Garrett	Malone	Slate
Brassell	Grainger	Manley	Smith
Burgess	Grayson	Marr	Snell
Burgreen	Hain	Mathews	Springer
Cameron	Hardin	Mays	Stembridge
Collier	Harper	McCorquodale	Stubbs
Collins (C)	Harris	McDonald	Tuck
Collins (W)	Haygood	McElhaney	Turnham
Cook (Coffee)	Headley	Merrill	Waggoner
Cook (Jefferson)	Higginbotham	Money	Williams
Crane	Hill	Owen (Baldwin)	Wood
Culver	Holladay	Owens (W)	Wright
Dobbs	Holman	Paulk	Young
Doss	House		

—80

Nay: Mr. Gloor —1

BILLS ON THIRD READING RESUMED

On motion of Mr. Owen (Baldwin), the rules were suspended and permission granted to bring up out of order the bills, S. 679, S. 680, and S. 768.

And the bill:

S. 679. To exempt industrial development boards now or hereafter organized under the provisions of Act No. 648 adopted at the 1949 Regular Session of the Alabama Legislature, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 60; Nays 0.

Yeas:

Mr. Speaker	Doss	Holman	Paulk
Agee	Downing	Jackson (F)	Pennington
Bassett	Fine	Kilgore	Perloff
Berryman (W)	Foshee	Laxson	Pruitt
Blanton	Garrett	Lyons	Sessions
Brannan	Graham	Malone	Smith
Burgreen	Grainger	Mathews	Snell
Cherner	Grayson	Mays	Starnes
Collier	Hain	McDonald	Stembridge
Collins (W)	Hardin	McElhaney	Stubbs
Cook (Coffee)	Harper	McLain	Tuck
Crawford	Harris	Melton	Turnham
Culver	Higginbotham	Money	Williams
Dill	Hill	Nettles	Wood
Dobbs	Holladay	Owen (Baldwin)	Yeilding

—60

And the bill:

S. 680. To exempt medical clinic boards now or hereafter organized under the provisions of Act No. 516 adopted at the 1955 Regular Session of the Alabama Legislature, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Downing	Laxson	Pearson
Agee	Drake	Lemley	Pennington
Bassett	Fine	Lyons	Perloff
Beck	Foshee	Malone	Pruitt
Berryman (W)	Garrett	Mathews	Sessions
Blanton	Grainger	Mays	Smith
Brannan	Grayson	McDonald	Snell
Burgreen	Hain	McElhaney	Starnes
Cherner	Hardin	McLain	Stembridge
Collier	Harper	Melton	Stubbs
Collins (W)	Harris	Money	Tuck
Crawford	Higginbotham	Nettles	Turnham
Culver	Hill	Owen (Baldwin)	Williams
Dill	Holladay	Owens (W)	Wood
Dobbs	Holman	Paulk	Yeilding
Doss	Jackson (F)		

—62

And the bill:

S. 768. To except bonds issued by a municipality under the provisions of Act No. 4 adopted at the 1956 Second Special Session of the Alabama Legislature, as amended, which Act relates to the promotion of trade by inducing commercial enterprises to locate in this State, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Was read a third time at length and passed.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Owens (W)
Agee	Drake	Lemley	Pearson
Bassett	Fine	Lybrand	Pennington
Beck	Foshee	Lyons	Perloff
Berryman (W)	Garrett	Malone	Pruitt
Blanton	Graham	Marr	Sessions
Brannan	Grainger	Mathews	Smith
Brassell	Grayson	Mays	Snell
Burgreen	Hain	McDonald	Starnes
Collier	Hardin	McElhaney	Stembridge
Collins (W)	Harper	McLain	Stubbs
Crawford	Harris	Melton	Tuck
Culver	Higginbotham	Money	Turnham
Dill	Hill	Nettles	Williams
Dobbs	Holladay	Owen (Baldwin)	Yeilding
Doss	Holman		—62

MOTION TO BRING UP S. 251

On motion of Mr. Wood, the rules were suspended and permission granted to bring up out of order the bill, S. 251.

And the bill:

S. 251. To authorize the creation of public corporations as authorities for the study, control, abatement and prevention of water, air or general environmental pollution; to allow the construction, acquisition and ownership by such corporations of facilities for this purpose; to prescribe the powers, duties, composition and financing of such corporations; to provide for cooperation with political subdivisions and other agencies and instrumentalities of the state, and to exempt such authorities from taxation.

Was read a third time at length and passed.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Burgreen	Downing	Headley
Adwell	Cherner	Drake	Higginbotham
Agee	Collier	Fine	Hill
Bank	Collins (C)	Foshee	Hobbie
Bassett	Collins (W)	Garrett	Holladay
Beck	Cook (Jefferson)	Graham	Holman
Berryman (W)	Crawford	Grayson	House
Blanton	Culver	Hain	Jackson (F)
Brannan	Dill	Hardin	Kilgore
Brassell	Dobbs	Harris	Laxson

Lemley	McDonald	Pennington	Starnes
Lybrand	McElhaney	Perloff	Stembridge
Lyons	Melton	Pruitt	Stubbs
Malone	Money	Robertson	Tuck
Manley	Nettles	Sessions	Turnham
Marr	Owen (Baldwin)	Smith	Waggoner
Mays	Paulk	Snell	Williams
McCorquodale	Pearson		

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REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolution, to-wit:

H. 892. To authorize Alabama Public School and College Authority, a public corporation, to sell and issue additional bonds for the purpose of constructing and equipping capital improvements at state educational institutions where the board of directors of the Authority, with the approval of the Governor, shall determine that such capital improvements can be most advantageously located; to provide for the details of the said bonds and for the sale thereof; to make appropriation and pledge of funds for payment of the principal of and interest on the said bonds and authorize the Authority to pledge for payment of the said principal and interest the funds so appropriated and pledged herein; to provide that the said bonds shall be limited obligations of the Authority payable solely from the funds so appropriated and pledged and shall not create an obligation or debt of the state; to provide that the said bonds and the income therefrom shall be exempt from taxation and the said bonds may be used to secure deposits of funds of the state and its political subdivisions, instrumentalities and agencies, and for investment of fiduciary funds; to authorize the refunding of such bonds by the issuance of refunding bonds; to adopt with respect to the said bonds certain provisions of Act No. 243 adopted at the 1965 Special Session of the Legislature of Alabama; and to specify certain other provisions respecting the said bonds.

Also:

H. 822. To amend the title and Section 1 of Act No. 821 of the 1965 Regular Session of the Legislature of Alabama, regulating the fluoridation of water supplies in counties having a population of 400,000 according to the last or any succeeding federal census.

Also:

H. J. R. 174. Congratulating and commending Mr. Frank "Pig" House, distinguished member of the House of Representatives, for coordinating and organizing the first Alabama Sports Hall of Fame.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolution, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

And the bill:

S. 520. To provide for the control of air pollution within the State of Alabama; to create and establish an Air Pollution Control Commission; to prescribe the jurisdiction, powers, duties and functions of the Air Pollution Control Commission; to provide for an executive director of the Commission; to provide for the enforcement of the Act and orders, rules and regulations adopted by the Air Pollution Control Commission; prescribing penalties and making appropriations.

Was taken up.

Mr. Pennington offered the following substitute to the bill, S. 520:

A BILL
TO BE ENTITLED
AN ACT

To provide for the control of air pollution within the State of Alabama; to create and establish the Alabama Air Pollution Control Commission; to authorize the creation of county and municipal air pollution control commissions; to prescribe the jurisdiction, powers, and duties and functions of the Alabama Air Pollution Control Commission and of any county or municipal commissions created under the provisions of this act; to provide for the enforcement of the act and of the orders, rules, and regulations of commissions created under the provision of this act; to prescribe penalties and remedies for the violation of this act or for the violation of the rules, regulations, and orders of any air pollution control agency within the State, and make appropriations, and to authorize appropriations and expenditures by state, county, and municipal authorities in furtherance of the objectives of this act.

Be It Enacted by the Legislature of Alabama:

Section 1. This act shall be known and may be cited as the "Alabama Air Pollution Control Act."

Section 2. GENERAL INTENT AND PURPOSE.

The objective of this act is to restore the air resources of the State of Alabama to a degree of purity which will insure the protection of the public health and physical property within the State, including both plant and animal life, and which will provide for the industrial and economic development and expansion of the State through the highest and best use of the air resources thereof. It is the intent of the Legislature of the State of Alabama that existing sources of air contamination and pollution within the State shall be conducted, modified, or controlled so as to restore the natural purity of the air within the State for the use and benefit of all citizens thereof. It is the intent of this act that the agency or agencies herein authorized shall take measures reasonable calculated to bring about the above result and to prevent the establishment of further sources of pollution within the State tending to impair the air quality of the State or of any region, section, or area thereof. By the passage of this act, the Legislature of the State of Alabama recognizes: That the existence of substantially clean and naturally pure air resources in the State has a substantial effect upon the public health, welfare, and enjoyment of the citizens thereof, and that the establishment and continuation of air quality standards for the air resources within the State is necessary and essential to assure the economic expansion and economic well-being of the State and the citizens thereof; that the vast natural resources of the State cannot be fully developed to the enjoyment of the citizens thereof except in an environment which includes the control and protection of said resources, including air resources; that the title to the air resources of this State be-

longs to the people thereof and cannot be appropriated to the private use or benefit of any individual firm, corporation, or enterprise to the detriment of the citizens thereof; that there are established industries within the State of Alabama which will be required to make economic expenditures which must, ultimately, be passed on to the consumers and taxpayers of the State of Alabama and of other states in order to comply with the rules, regulations, and restrictions adopted pursuant to this act; that the cost of all goods and services produced within this state, including industrial, commercial, state, county, and municipal goods and services must be made to bear the expense of protecting the air resources of this state, so as to preserve the rights of all of the citizens, property owners, and taxpayers thereof, and to secure to each the maximum use and enjoyment of his property consistent with an organized society; that the recent surge in industrial expansion of the State has occurred not only because of its human resources, but also because of the existence within the State of vast mineral, timber, and water resources, and a physical environment in a relatively natural and unpolluted state; that the contamination of the environment and of these resources will adversely affect future industrial potential for the State; that the custom of allowing the prostitution of natural air resources is, in effect, transferring our industrial future to existing pollution sources and thereby depriving the citizens of Alabama of job opportunities and markets for the products of their labor; that the right to local control by local officials elected by local people is the most desirable and efficient way to administer an effective air pollution control program; that the administration of such a program by the State should give due regard for local control, subject to the right of a state agency to require local responsibility through the authority to act in setting statewide standards and in administering local programs where local authority has failed to meet state, regional, or area requirements duly adopted by the state agency.

Section 3. DEFINITIONS.

The following words and terms as used in this act, and as used in any rule or regulation adopted pursuant thereto, unless the context otherwise requires, shall have the meaning ascribed to them in this section:

(a) "Air Pollution" means the presence in the outdoor atmosphere of one or more air contaminants or combinations thereof in such quantities and of such characteristics, locations, and duration, or of other conditions caused by man, endangering or threatening human, plant, or animal life, or destructive to property or which unreasonably interfere with the comfortable enjoyment of life or property or with the conduct of business within such areas of the State as shall be affected thereby.

(b) "Air Contaminant" means a dust, fume, gas, mist, bog, odor, smoke, vapor, heated or cooled air (relative to conditions which would otherwise prevail) pollen, soot, carbon, acid, or particulate matter or any combination thereof.

(c) "Air Contamination Source" means any source at, from, or by reason of which there is admitted into the atmosphere any air contaminant, regardless of who owns or operates the building, premises, or other property in, at, or on which said source is located, or the facility, equipment, or other property by which the emission is caused or from which the emission is caused or from which the emission comes. Without limiting the generality of the foregoing, this term embraces structures of all types, mechanical, electrical, or electromechanical devices, including commercial, business, and industrial plants, works, shops, and stores, heating and power plants and stations, single and multiple family residences, apartments, houses, office buildings, public buildings, hotels, restaurants, schools, hospitals, churches, and other institutional build-

ings, aircraft, automobiles, trucks, tractors, buses and other motor vehicles, garages, vending locations, service stations, railroad locomotives, ships, boats, and other water-borne craft, portable fuel-burning equipment, incinerators of all types, indoor and outdoor, refuse dumps and piles, all stack and chimney outlets from any of the foregoing, quarries, power plants, municipal city, county, state, or federal institutions and nature or natural sources.

(d) "Commission" means the Air Pollution Control Commission of the State of Alabama, or any County or Municipal Commission created pursuant to this act.

(e) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institutions, group, agency, legal entity, political subdivision of the State, or any other state or political subdivision or agency thereof, including all municipal city, county, state, or federal departments, offices, agencies, authorities, or other administrative entities, and any legal successor, representative, agent, or agency in the foregoing which is recognized by law as the subject of rights and duties.

(f) "Air-Cleaning Device" means any method, process, or equipment which removes, reduces, or renders less noxious air contaminants discharged into the atmosphere.

(g) "Area of the State" means any city or county, or portion thereof, or other geographical areas of the state as may be designated by the Air Pollution Control Commission.

(h) "Executive Director" means the Executive Director of the Alabama Air Pollution Control Commission, who shall be the Director of the Bureau of Environmental Health of the State Department of Public Health; or of any county, or municipal Air Pollution Control Commission created pursuant to this Act, or any regional Executive Director appointed pursuant to this Act.

Section 4. COMPOSITION OF COMMISSION AND TERMS OF OFFICE

There is hereby created within the State of Alabama a Commission to be known as the Alabama Air Pollution Control Commission. The State Department of Public Health shall act as the administrative agency for this Commission. The terms of all appointed members, after the initial terms, shall be six years. The Alabama Air Pollution Control Commission shall be composed of four ex-officio members, plus twelve additional members appointed by the Governor, having qualifications and serving initial terms as follows:

A. The Health Officer of the State of Alabama shall serve as a member of the commission during his term of office and shall act as Chairman of the commission.

B. The Director of the Department of Conservation of the State of Alabama shall serve as a member of the Commission during his term of office and shall act a Vice Chairman of the Commission.

C. The Director of the State Planning and Industrial Development Board of the State of Alabama shall serve as a member of the Commission during his term of office.

D. The State Toxicologist of the State of Alabama shall serve as a member of the Commission during his term of office.

E. One physician, privately engaged in the practice of medicine, and specializing in the treatment of diseases of the chest to be appointed

by the Governor, and whose term of office shall expire on September 1, 1971.

F. One registered, professional engineer in the State of Alabama, engaged in the private practice of engineering as a consultant engineer, to be appointed by the Governor, and whose term of office shall end September 1, 1971.

G. One licensed, practicing attorney, engaged in the practice of law in the State of Alabama, who has, for at least five years immediately preceding his appointment generally represented one or more cities, towns, counties, or other political subdivisions within the State of Alabama, to be appointed by the Governor, and whose term of office shall expire on September 1, 1971.

H. One physician, engaged in the practice of industrial medicine within the State of Alabama, appointed by the Governor, and whose term of office shall expire on September 1, 1971.

I. One person from each of the areas now composing, or which may hereafter compose, the 1st, 5th, 3rd, and 7th Congressional Districts, appointed by the Governor, and whose terms of office shall expire on September 1, 1973.

J. One person from each of the areas now composing, or which may hereafter compose, the 2nd, 6th, 4th and 8th Congressional Districts, appointed by the Governor, and whose terms of office shall expire on September 1, 1975.

Section 5. POWERS AND DUTIES OF COMMISSION

Consistent with the provisions of this act, the commission shall have the power:

(a) to make, adopt, promulgate and enforce rules and regulations relating to the control of air pollution and to develop and establish air quality criteria or standards consistent with the general intent and purposes of this act, and from time to time to alter, repeal or amend such rules and regulations, or any of them.

(b) to develop such facts and make such investigations as are consistent with the provisions of this act and, in connection therewith, to enter or to have the Executive Director or other authorized personnel of the commission enter at all reasonable times upon or in any private or public property, except private residences or dwellings, for the purpose of inspection and investigation of any condition which the commission shall have reasonable cause to believe to be a source of air pollution in violation of this act or of any rules and regulations promulgated by the commission. The results of any such inspection and investigation shall be reduced to writing; and a copy shall be furnished to the owner or operator of said property; provided, however, that any information relating to methods of manufacture or production, or to secret processes which may be observed or ascertained by the commission, or by any person pursuant to his duties under the act, shall not be disclosed in any way, whether by means of such written report, public hearings, or otherwise, but shall be kept completely confidential.

(c) to secure necessary legal scientific, and technical services, including laboratory facilities, within appropriations available therefor.

(d) to prepare and develop a comprehensive plan or plans for the prevention, abatement, and control of air pollution in this state.

(e) to encourage voluntary cooperation by persons and affected groups to achieve the purposes of this act.

(f) to designate, in its discretion, one or more county health departments to assist the commission in an area of the State by performing administrative, technical, scientific, and enforcement services in connection with the administration and enforcement of air quality criteria or standards effective within such area of the state.

(g) to encourage and conduct studies, investigations, and research relating to air contamination and air pollution and their causes, effects, prevention, abatement, and control.

(h) to determine by means of field studies and sampling the degree of air pollution in the State and the several parts thereof.

(i) to collect and disseminate information and conduct educational and training programs relating to air pollution.

(j) to contract with other agencies of the State, local governments, counties, other states, interstate or interlocal agencies, and with the Federal Government in any manner which will assist the commission in the execution of this act.

(k) to cooperate with and receive money or property from the Federal Government or any other suorce, public or private, for the purpose of research, study, or control, and the commission is designated and shall serve as the official State Air Pollution Control Agency for such purposes.

(l) In order to make available to the commission the services of an advisory body on such technical matters as the current state of technological progress and scientific research and development in the field of air pollution control, and the translating or equating of scientific and technological knowledge and development into engineering capability that can be applied in the consideration of reasonable and appropriate air pollution control measures, the commission shall select a technical advisory committee of not less than five members nor more than twelve members to be composed of persons in the technical or scientific fields to be drawn from the technical or scientific talent within the State of Alabama. The technical advisory committee shall include at least one individual with special training and experience in the environmental sciences, and at least one individual with special training and experience in the engineering aspects of air pollution control or air pollution control devices. The term of each member of the technical advisory committee shall be six years, or until a successor is selected, and there shall be no limitation on the number of terms any member may serve. Should any vacancy occur in the membership of the committee, the commission shall appoint a properly qualified person to fill such vacancy. The technical advisory committee members shall serve without pay. The functions of the technical advisory committee shall be solely of an advisory nature to the commission. Actual and necessary travel subsistence and other expenses incurred by members in the discharge of their duties as members of the technical advisory committee, and as directed or requested by the commission, shall be paid as provided by law from funds which are or may become available for the purpose of this act. Where regional administration is provided for pursuant to Section 10 hereof, a separate advisory board may be appointed for each region at the discretion of the commission.

(m) To employ an executive director and such assistant directors, servants, and employees as the commission may, from time to time, deem necessary and advisable. All employees of the commission, or of any county or municipal commission created pursuant to this act, shall be subject to the same merit or civil service provisions as to appointment, promotion, and dismissal applicable to similar employees in other departments of the State, county, or municipality. In addition, the com-

mission may employ an attorney, or such attorneys as the commission may deem necessary and proper.

(n) To classify air contaminant sources according to levels and types of emissions and/or other characteristics which relate to air pollution.

(o) To establish such emission control requirements, by rule or regulation, as may be necessary to prevent, abate, or control air pollution.

Section 6. POWERS AND DUTIES OF EXECUTIVE DIRECTOR

The Executive Director of the commission shall have the following powers and duties.

(a) The executive director, or his authorized representative, shall attend all meetings of the commission, but shall not be entitled to a vote.

(b) The executive director, or his authorized representative, during the interim between meetings of the commission, shall handle such correspondence, make or arrange for such inspections and investigations, and obtain, assemble, or prepare such reports and data as the commission may direct or authorize.

(c) The executive director shall be responsible for making recommendations to the commission for the issuance of formal orders by the commission and for the presentation of complaints before the commission and shall have such other duties as the commission may prescribe.

(d) Administrative, technical, scientific, and other services shall be performed under the direction of the executive director, and the executive director shall exercise supervision over the employees of the commission.

(e) To issue, or cause the assistants and employees of the commission to issue, such citations as the commission may authorize under Section 9 (b) of this act.

Section 7. PROCEDURE FOR ADOPTING RULES AND REGULATIONS, AND EVIDENCE

No rule or regulation shall be adopted by the Commission except by majority vote of all elected or appointed members of the commission. No rule or regulation setting air quality criteria or standards or prescribing control of the air pollution in the State at large, or in any area of the State, shall be adopted by the commission at the meeting at which it is first introduced unless the unanimous consent of those present is given for immediate consideration of such rule or regulation, such consent to be shown by a vote taken by yeas and nays, and the names of the members voting to be entered upon the minutes. No rule or regulation of the board having general application shall be effective until a certified copy of the same has been published in a newspaper having general distribution in Montgomery County, Alabama, and a copy thereof certified to the Secretary of State of the State of Alabama by the commission. Rules and regulations of the commission, where such rules and regulations or provisions have been printed in book or pamphlet form, may be adopted by reference thereto without further publication; provided, however, that before adopting any such rules and regulations which are printed in book or pamphlet form, the commission shall hold a public hearing thereon, which said public hearing shall be preceded by fifteen days notice of the time, place, and purpose of such hearing to be held thereon by the commission. Such notice shall be published at least once a week for two consecutive weeks in a newspaper having general circulation in Montgomery County. Said

notice shall provide that not less than three copies of said book or pamphlet shall be on file in the office of the Secretary of State of the State of Alabama for not less than fifteen days prior to the hearing to be held thereon, for use and examination by the public prior to the adoption thereof. Where a rule or regulation is adopted by a municipal or county commission created pursuant to this act, then the publication above required shall be in a newspaper having general circulation in the county. Municipal commissions shall file a certified copy of all rules and regulations having general application with the municipal clerk, and county commissions shall file a certified copy of all rules and regulations of general application with the Judge of Probate of the county, in lieu of the filing with the Secretary of State required above.

Section 8. REPORTING AND PERMITS

(a) The commission may, by regulation, require the registration with the commission of persons operating or responsible for the operation of air contamination sources of any class established by it under Section 5 (n) herein. The commission may, by regulation, further require such persons to make or file reports containing information concerning location, size and height of outlet, processes employed, fuels used, nature of emissions, rate or duration of emissions, and such other information as the commission shall prescribe and as is relevant to air pollution and available or reasonably capable of being assembled.

(b) The Commission may, by regulation, prohibit the installation, alteration, or use of any machine, equipment, device, or other article or classes of such items which it finds may cause or contribute to air pollution or is intended primarily to prevent or control the emission of air pollution unless a permit therefor has been obtained from the Executive Director.

(c) The Commission may require that applications for such permits shall be accompanied by plans, specifications, and such other information as the Commission deems necessary.

(d) The Commission, by rules and regulations, shall provide for the issuance, suspension, revocation, and renewal of any permits which it may require pursuant to this section.

Section 9. VIOLATIONS — PUNISHMENT — PROCEDURE — REMEDIES

(a) It shall be unlawful, and a misdemeanor, for any person, president, manager, superintendent, or other person in charge of an air contamination source, to maintain or operate an air contamination source in violation of this act or of any rule or regulation adopted pursuant thereto. Any person convicted of violating this act or any rule or regulation adopted pursuant thereto shall be punished by fine of not less than $25.00 nor more than $1,000.00 and by confinement in the county jail for not more than six months, one or both, in the discretion of the judge trying the case. Each day of violation shall constitute a separate offense.

(b) The Commission may, by rule or regulation, authorize the Executive Director to issue citations to any person violating this act, or any rule or regulation of the Commission, commanding said person to cease and desist from violating this act, or any rule or regulation adopted pursuant to this act. The citation shall specify the provision of this act, or rule, or regulation alleged to be violated and shall specify, generally, the facts alleged to constitute a violation thereof. Said citation shall command the person to appear in person, or by attorney, at a time and place specified before the Commission and show cause why a prosecution for the violation of this act, or of any rule or regulation of the Commission, should not be commenced. No citation shall be

issued for an appearance before the Commission on a date less than ten days next after the issuance thereof. The citation may be directed to a business or corporation, or to the president, manager, superintendent, or other person in charge of the business or corporation. The citation may be executed by leaving a copy thereof at any office of the business or corporation, or by leaving a copy with some person at said office or at the residence of the president, manager, superintendent, or other person in charge.

(c) No prosecution shall be commenced under this act or under any rule or regulation of the Commission except after a citation as provided in section (b) hereof has been issued, and after an opportunity to be heard upon said citation has been afforded the accused at the time and place specified in the citation or at a time and place to which said meeting may from time to time be adjourned. If the Commission finds at said hearing that there is probable cause for believing that a violation has occurred, and probably cause for believing the party charged is the cause of the offense, then the chairman, executive director, or any member of the commission shall appear before a magistrate authorized to take oaths and issue warrants of arrest for violations of state law, in the county where the air contamination source is located, and make affidavit setting out the findings of the commission. The magistrate shall forthwith issue a warrant of arrest for the party charged commanding any sheriff or any officer of the State authorized by state law to execute warrants of arrest for violation of state laws, to arrest the defendant and forthwith bring him before him. The warrant shall be returnable to the Circuit Court of the county where the air contamination source is located. The commission shall not make a finding of probable cause if it finds that the alleged violation is a result of unexplained or unusual circumstances and conditions, or if it finds that the proximate cause of the violation had been corrected by the offending party immediately upon notice thereof having been served as aforesaid.

(d) The maintenance or operation of any air contamination source in violation of this act or in violation of any rule or regulation adopted pursuant to this act is hereby declared to be a nuisance per se. The State Air Pollution Commission, where enforcement of this act is then under the jurisdiction of said State Commission, or any county or municipal commission, where enforcement of this act is then under the jurisdiction of said county or municipal commission, may file in the Circuit Court, sitting in equity, in the county in which the air contamination source is located, a bill or petition to enjoin the maintenance or operation of said air contamination soure. Said petition or bill shall be verified by the executive director, or by any member of the commission. No bill or petition shall be filed unless the filing of same has first been authorized by majority vote of the total commission membership. The filing, presentation, and hearing of a bill or petition, as herein authorized and the dissolution of any injunction issued pursuant thereto, and including appeals from the judgment of the Circuit Court, in Equity, shall be governed by the general laws of the State of Alabama, which now or hereafter may govern applications for injunctive relief, except as herein provided. The Court shall not grant a temporary injunction unless it has a reasonable cause to believe that the respondent is operating or maintaining an air contamination source in violation of this act or in violation of any rules or regulation adopted pursuant thereto. The Court shall, upon final hearing, if the proof be sufficient, grant a final injunction restraining the respondent from operating or maintaining said air contamination source. No bond shall be required of the commission in any proceedings under this section.

Section 10. VARIANCES

(a) Any person who owns or is in control of any plant, building, structure, process, equipment, or air contamination source may apply

to the commission for a variance from this act and from any rules or regulations adopted pursuant thereto. The commission may grant such variance if it finds that:

1. The emissions occurring or proposed to occur do not endanger or tend to endanger human health or safety; and

2. Compliance with the rules or regulations from which variance is sought would produce serious hardship without equal or greater benefits to the public.

(b) No variance shall be granted pursuant to this Section except after public hearing, notice of which shall be published at least once in a newspaper having general circulation in the county where the pollution source is located, at least ten days prior to said hearing, and until the commission has considered the relative interests of the applicant, other owners of property likely to be affected by the discharges, and the general public.

(c) Any variance or renewal thereof shall be granted within the requirements of subsection (a) and for time periods and under conditions consistent with the reasons therefor, and with the following limitations:

1. If the variance is granted on the ground that there is no practicable means known or available for the adequate prevention, abatement, or control of the air pollution involved, it shall be only until the necessary means for prevention, abatement, or control become known and available, and subject to the taking of any substitute or alternate measures that the commission may prescribe.

2. If the variance is granted on the ground that compliance with the particular requirement or requirements from which variance is sought will necessitate the taking of measures which, because of their extent or cost, must be spread over a considerable period of time, it shall be for a period not to exceed such reasonable time as, in the view of the commission, is requisite for the taking of the necessary measures. A variance granted on the ground specified herein shall contain a timetable for the taking of action in an expeditious manner and shall be conditioned on adherence to such timetable.

3. If the variance is granted on the ground that it is justified to relieve or prevent hardship of any kind other than provided for in terms 1 and 2 of this subsection, it shall be for not more than (one) year.

(d) Any variance granted pursuant to this section may, on application, be renewed on terms and conditions and for periods which would be appropriate on initial granting of a variance. If complaint is made by any person affected to the Commission on account of the variance, no renewal thereof shall be granted, unless, following public hearing held in the same manner as an original hearing, the commission finds that renewal is justified. Any such application shall be made at least sixty days prior to the expiration of the variance.

(e) A variance or renewal shall not be a right of the applicant or holder thereof but shall be in the discretion of the commission; however, any person adversely affected by a variance or renewal granted by the commission may obtain judicial review by filing notice of appeal with the Register in Chancery of the Circuit Court in Equity in the county where the pollution source is located within twenty days from the action of the commission thereon. The case shall be heard by the Court under the same rules and with the same requirements as a petition for injunction would be heard. On appeal, the Circuit Court shall grant said variance unless it finds the operation of the air contamination source in

the manner allowed in the variance would amount to a private or public nuisance, or unless it finds that the commission acted arbitrarily and capriciously.

Section 11. CONFIDENTIALITY OF CERTAIN RECORDS

Any records or other information furnished to the commission concerning one or more air contaminant sources, which records or information, as certified by the owner or operator, relate to production or sales figures or to processes or production unique to the owner or operator, or which tend to affect adversely the competitive position of such owner or operator, shall be only for the confidential use of the commission in the administration of this act, unless such owner or operator shall expressly agree to their publication or availability to the general public, or unless the disclosure of such information is required for the prosecution of a violation of this act, or for rules or regulations adopted pursuant thereto. Nothing herein shall be construed to prevent the use of such records or information by the commission in compiling or publishing analyses or summaries relating to the general condition of the outdoor atmosphere, provided that such analyses or summaries do not identify any owner or operator or reveal any information otherwise confidential under this section.

Section 12. QUORUM — PERSONAL INTEREST — MAJORITY VOTE

A majority of those appointed to the Air Pollution Control Commission shall constitute a quorum for the transaction of business. No commission member shall act in any case in which he has a personal interest. Any official action of the commission must be by majority vote of a quorum, except as herein otherwise provided.

Section 13. ORGANIZATION — RECORDS — OFFICE

The Air Pollution Control Commission shall elect such officers, in addition to those provided for herein, as it shall deem necessary and proper for the conduct of its business, and shall keep, or cause to be kept, a full and complete record of all its proceedings in a well bound book. The records of said commission shall be open to public inspection during normal business hours. The Official office of the State Commission shall be in Montgomery, Alabama, at the office of the executive director.

Section 14. PROCEDURE — MEETINGS

The Air Pollution Control Commission shall establish rules and regulations for its own procedure consistent with the provisions of this act. The commission shall hold regular meetings at least once each calendar quarter at a time fixed by resolution of the commission. The chairman, or any five members of said commission, may call a special meeting for any stated purpose on at least 72 hours notice by mail or telephone. The meetings of the commission shall be open to the public. The commission shall not hold secret or executive sessions except in those cases now or hereafter authorized by the general laws of the State. Three members of any county or municipal commission may call a special meeting by giving notice as aforesaid.

Section 15. COUNTY BOARDS

The Board of the County Commissioners, or like governing body of each county in the State may, in its discretion, create, by resolution of the Board of County Commissioners, or other governing body, a county air pollution control commission. Any county air pollution control commission shall be composed of not less than five members

nor more than seven members, all of whom shall be resident citizens of the county and who shall have such qualifications as the Board of County Commissioners or like governing body may, by resolution provide. The term of any member of any county air pollution control commission shall be no more than five years. Any member of a county air pollution control commission shall be eligible to succeed himself. Any county air pollution control commission created pursuant to this section shall exercise all of the jurisdiction within the county over air pollution control matters herein granted to the State Commission; provided, however, that any county commission shall not have the power to suspend, alter, or revoke any rule or regulation, or any air quality standards promulgated by the State at large, or applying to the air shed, region, or area of which the county is a part. Provided, further, that any county air pollution control commission shall not have authority to promulgate rules and regulations concerning motor vehicles, licensed for operation on the public streets or highways of this state, or of any other state, which authority is hereby reserved exclusively to the State Commission. It is the intent of this act to authorize any county air pollution control commission to adopt rules and regulations to further govern and control air quality standards in such a manner as to increase any state or regional standard, but in such a manner as not to revoke, alter, or suspend said state regulations or area rules and regulations. Any county board created pursuant hereto shall not have the authority to exercise air pollution control jurisdiction within the bounds of any incorporated municipality or the police jurisdiction thereof having an air pollution control commission as hereinafter authorized. County Commissioners may adopt the rules, regulations, and procedures of the State Air Pollution Control Commission in force without further reference thereto or publication thereof, by resolution of the said county commission.

Section 16. MUNICIPAL BOARD

Each municipal corporation within the State having a population of 25,000 or more, according to the most recent federal decennial census, may create, by ordinance, a municipal air pollution control commission of not less than five or more than seven members, all of whom shall be resident citizens of the municipality, and who shall have such qualifications as the Council, of other governing body of the municipality, may, by ordinance, provide. The terms of any member of any municipal air pollution control commission shall be no more than five years. Any member of a municipal air pollution control commission shall be eligible to succeed himself. Any air pollution control commission created pursuant to this section shall exercise all of the jurisdiction within the municipality and the police jurisdiction thereof over air pollution control matters herein granted to the State Commission; provided, however, that any municipal commission shall not have the power to suspend, alter, or revoke any rule or regulation or any air quality standards promulgated by the State Air Pollution Control Commission and applying to the State at large, or applying to the airshed region or area of which the municipality is a part. Provided, further, that any municipal air pollution control commission shall not have the authority to promulgate rules and regulations concerning motor vehicles, licensed for operation on the public streets or highways of this State, or of any other state, which authority is hereby reserved exclusively to the State Commission. It is the intent of this act to authorize any municipal air pollution control commission to adopt rules and regulations to further control air pollution control standards in such a manner as to increase any state or regional standard, but in such a manner as not to revoke, alter, or suspend said State regulations or area rules and regulations. Municipal Commissions may adopt the rules and regulations and procedures of the State Air Pollution Control Commission in force without further reference thereto or publication thereof, by resolution of said municipal commission.

Section 17. STATE AUTHORITY WHERE NO LOCAL COMMISSION CREATED

In any county where there is no air pollution control commission created under the authority of this act, and in any municipality not otherwise subject to the jurisdiction of a county or municipal air pollution control commission, the full authority created by this act shall be vested in the State Air Pollution Control Commission, and the State Board may adopt rules and regulations pertaining to said area as if it were said local commission, or it may make said area subject only to state, region, airshed, or area requirements.

Section 18. COMPENSATION OF MEMBERS

Each member of the State Air Pollution Control Commission shall be paid $500.00 per annum from funds available for enforcement of this act as compensation for services. Actual and necessary travel subsistance, and other expenses incurred in the discharge of their duties hereunder, and as directed or requested by the Commission, shall be provided by law from funds which are or may become available for the purpose of this act. No member of any county or municipal air pollution control commission shall be compensated for serving as a member of said commission, provided, however, that such members may be reimbursed for actual or necessary travel substance and other expenses incurred in the discharge of their duties and as directed or requested by the Commission from any funds which are or may become available for the purpose of this act.

Section 19. REGIONAL ADMINISTRATION BY STATE COMMISSION

The State Air Pollution Control Commission may, by resolution, divide the State into areas, regions, divisions, or airsheds for the purpose of regulation or administration. Where a portion, or area, of the state is set aside for administration purposes, the Commission may employ an executive director and such staff employees as it may deem necessary and proper for administration of the area, who shall report directly to the Commission, or who shall be under the supervision and control of the State Executive Director as the Commission may from time to time determine.

Section 20. APPROPRIATIONS

Contracts with state, municipal, regional or county agencies, and with federal agencies:

Any state, county, or municipal body, or agency, who, in the determination of the State Air Pollution Control Commission is competent to render administrative or technical services to assist the Commission in carrying out the purposes of this act is hereby empowered to contract with the Commission, or with any county or municipal commission, for the performance of administrative or technical services. The State Commission and any county or municipal commission created pursuant to this act shall have the right to contract with the U. S. Government, or with any agency thereof, for grants or assistance and to do any and all things necessary and desirable to carry out the authority of this Act.

There is hereby appropriated to the Air Pollution Control Commission out of the general fund in the State Treasury not otherwise appropriated, the sum of $250,000 for the fiscal year beginning October 1, 1969, and ending September 30, 1970, and the sum of $250,000 for the fiscal year beginning October 1, 1970, and ending September 30, 1971, to be used for carrying out the purposes of this Act.

Section 21. TAMPERING WITH OFFICIAL MEASURING DEVICE

It shall be unlawful for any person to tamper with an official measuring device, properly labeled by an air pollution control board within the State shall be guilty of a misdemeanor and shall be punished by fine of not less than $25.00 and not more than $1,000.00, and by imprisonment in the county jail for not more than six months, in the discretion of the judge trying the case. Each day of violation shall constitute a separate offense.

Section 22. PREEMPTION OF COUNTY OR MUNICIPAL PROGRAM BY STATE COMMISSION

The State Air Pollution Control Commission may, by majority vote of the total membership of the Commission, preempt and suspend the enforcement authority in whole or in part of any regional, county or municipal commission created pursuant to this act, provided, however, that no preemption or suspension of local enforcement authority shall be effective until the local commission shall have received, in writing from the Commission, at least 30 days notice of a time and place when said local commission, or their attorney, and any other interested party, may be heard by the State Commission on the question of preemption and suspension. The State Commission shall preempt local enforcement authority as aforesaid on a finding by resolution that the local county or municipal commission is not operating an effective enforcement program. In any case where preemption and suspension has occurred, the State shall assume the position of the local authority in all proceedings then pending, and shall, in all other respects, exercise the same authority which is authorized by this act where no local commission has been created. At the expiration of one year from the initial preemption or suspension, the State Commission may, by resolution, return the local authority to the county or municipal commission shall immediately have and exercise all of the jurisdiction and authority as if no preemption and suspension had occurred.

Section 23. REMEDIES CUMULATIVE

The remedies provided herein shall be cumulative and shall not be construed to repeal, modify, alter, or change any other civil or criminal process or remedy now provided by law. This Act shall be liberally construed as being additional authority of incorporated municipalities and nothing herein shall be held to alter, repeal, or deminish the authority of said municipalities to adopt ordinances, provided however, that no ordinance of any municipal corporation shall be held to suspend or revoke any rule or regulation or any air quality standard promulgated by the State Air Pollution Control Commission or by any county or municipal air pollution control commission created pursuant hereto.

Section 24. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 25. This act shall become effective immediately upon its approval by the Governor, or upon its otherwise becoming a law.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Pelham, Vacca, Branyon, Giles, Cooper, Goodwyn, Childs, Lolly, Folsom, Adams, Hawkins, Stone, Albea, Jackson, Morrow, Skidmore, Leonard, Torbert, Oden, Givhan, Clark:

S. J. R. 112. WHEREAS, it is the inherent right of parents in a free society to exercise some authority and control in the matter of the education of their children; and

WHEREAS, this inherent right of parents in Alabama is jeopardized by the Department of Health, Education and Welfare and the Department of Justice acting in collaboration with the federal judiciary; and

WHEREAS, the loss of the right of parents to exercise any freedom in choosing which school their children attend destroys the final vestige of an inherent right; and

WHEREAS, the legality of freedom of choice has heretofore been established and recognized by United States Congress, the Department of Health, Education and Welfare, the Department of Justice, the federal judiciary, and President Richard M. Nixon himself; and

WHEREAS, Congress stated in the 1968 appropriations bill for Health, Education and Welfare:

"No part of the funds contained in this Act may be used to force bussing of students, abolishment of any school, or to force any student attending any elementary or secondary school to attend a particular school against the choice of his or her parents or parent in order to overcome racial imbalance";

WHEREAS, President Nixon has stated:

"I oppose any action . . . . that goes beyond a mandate of Congress . . . . The law clearly states that desegregation shall not mean the assignment of students to public school in order to overcome racial imbalance": and

WHEREAS, recent orders of federal courts in Alabama and the Fifth Circuit Court of Appeals ignore both judicial precedent and congressional mandate, deprive parents and their children of inherent rights, and threaten the destruction of the public school system in Alabama; and

WHEREAS, the overwhelming majority of parents of all races in Alabama prefer freedom of choice to any unlawful integration plans; and

WHEREAS, it is the duty of the members of the Alabama Legislature to do everything within their power to support and preserve the rights of the parents and children of this state;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES CONCURRING:

That the freedom of choice plan of pupil assignment is hereby declared to be the lawful and least disruptive system of pupil assignment in the public schools of Alabama and that such system of assignment complies in full with the expressions of Congress, statements of the President of the United States, decrees of the federal judiciary, and prior directives of federal agencies.

That such freedom of choice should be followed by parents of school children in this State in enrolling their children in public schools and that in doing so these parents are abiding by the law, acting in the best interest of their children, and exercising a fundamental right.

That the Legislature does hereby advise and recommend that those parents of school children in this State who have been denied freedom of choice in the assignment of their children to public schools now take their children to the school of their original choice, insist upon the enrollment of such children, and peacefully remain at such school until enrollment has taken place.

That in the event the school of original choice cannot accept a child by reason of overcrowding by non-voluntary students, such non-voluntary students should be returned to the school from which they were arbitrarily removed.

That the Legislature hereby directs all Superintendents of Education, School Principals, and members of the School Boards in Alabama to take whatever action is required to accommodate parents in their exercise of freedom of choice, including the opening of closed schools, elimination of bussing to achieve racial balance, and prompt enrollment.

That it is further declared to be the sense of the Legislature that no punitive action be taken against any person by reason of the orderly, peaceful and lawful exercise of the right of freedom of choice hereunder; and the Alabama Bar Association is respectfully requested to counsel and assist parents exercising such rights.

That it is the policy of the Legislature that the free textbooks provided school children of this State through legislative appropriation be made available to all children and that no child be denied such textbooks by reason of the exercise of freedom of choice by such child or its parent.

That the Legislature directs the State Superintendent of Education, State Board of Education, and all other State and local officials not to take any action which would deprive any local school system of its share of the Minimum Program Fund by reason of abnormal attendance of pupils caused by the disruptive, arbitrary, and illegal actions of federal agencies or courts beyond the control of local authorities.

That the Alabama Legislature does hereby assume full responsibility for counselling and encouraging the citizens of Alabama to exercise their fundamental rights in a lawful and peaceful manner.

That, finally, the Legislature calls upon all the people of Alabama to face this crisis with the determination and resolution that only by insisting on their fundamental rights will the control of public schools be returned to local authority and the people.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Lyons, the rules were suspended and the House concurred in and adopted the S. J. R. 112 set out in the above and foregoing Message from the Senate.

Yeas 71; Nays 5.

Yeas:

Mr. Speaker	Brannan	Collins (W)	Ellis
Adwell	Brassell	Cook (Jefferson)	Fine
Beck	Burgess	Culver	Foshee
Berryman (W)	Burgreen	Dill	Gafford
Blanton	Cameron	Doss	Garrett
Bolton	Cherner	Downing	Gloor
Bowers	Collier	Drake	Grayson

Hain	Jackson (T)	Owen (Baldwin)	Stembridge	
Hardin	Kilgore	Paulk	Stubbs	
Harper	Lemley	Pearson	Tuck	
Harris	Lyons	Pennington	Turnham	
Headley	Malone	Perloff	Waggoner	
Higginbotham	Marr	Pruitt	Watkins	
Hobbie	Mathews	Robertson	Weeks	
Holladay	McElhaney	Sessions	Williams	
Holman	Melton	Slate	Wood	
House	Merrill	Smith	Yeilding	
Jackson (F)	Money	Springer		—71

Nays:

Messrs.:	Edington	Nettles	Wright	
Collins (C)	Hill			—5

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 109. To express the public policy of the State of Alabama relative to the payment of prevailing minimum wages in the particular area on all projects of the State or its agencies, to require that the prevailing wages be ascertained in advance of such projects and that all bidders therein be bound by these determinations and all contractors be required to comply therewith; to define what is included in the term "wages" and to set forth the method of making the said determinations; and to authorize local governing bodies to make similar requirements in their contracts for public works.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Marr moved to concur in and adopt the Senate amendments to the bill, H. 109, said Senate amendments being as follows:

SUBSTITUTE FOR HB 109

A BILL
TO BE ENTITLED
AN ACT

To express the public policy of the State of Alabama relative to the payment of prevailing minimum wages in the particular area on all projects of the State or its agencies, to require that the prevailing wages be ascertained in advance of such projects and that all bidders therein be bound by these determinations and all contractors be required to comply therewith; to define what is included in the term "wages" and to set forth the method of making the said determinations; and to authorize local governing bodies to make similar requirements in their contracts for public works.

Be It Enacted by the Legislature of Alabama:

Section 1. It is hereby declared to be the public policy of this State that the State of Alabama or any state agency, department or board thereof which is the contracting authority for construction, altera-

tion and/or repairs to be performed on state owned properties or to be state financed, in whole or in part, to be performed by private contractors; shall require the successful bidder to pay the prevailing wage in the work area to their employee.

Section 2. As used in this Act:

(a) Director means that person designated under Title 26, Section 379, Code of Alabama, 1940, or as hereafter amended, or his duly authorized deputy or representatives.

(b) Department means the Department of Labor of the State of Alabama.

(c) Commission means the commission established by Section 2 (i).

(d) Contractor means any person, firm or corporation licensed to do business in the State of Alabama as a contractor, said license authorizing the performance in a single contract of the public work to be performed.

(e) Public work means construction, reconstruction, demolition, alteration, or repair work, or maintenance work, including painting and decorating, done under contract and paid for in whole or in part out of the funds of the State of Alabama.

(f) Contracting authority means any officer, board or commission of the State or any state institution supported in whole or in part by State funds, authorized to enter into a contract for a public work.

(g) Workman shall mean and include laborer, mechanic, skilled or semi-skilled, laborer and apprentices or helpers employed by any contractor or subcontractor and engaged in the performance of services directly upon a public work, regardless of whether their work becomes a component part thereof, but does not include material suppliers or their employees who do not perform services at the job site, but shall not include executive, administrative, professional, office or custodial employees.

(h) Work area means a county within which the physical work on any public work is to be performed.

(i) Prevailing Wages within the meaning of this Act shall be determined jointly by a commission consisting of the Director of Labor of the State of Alabama; The Director of the Highway Department of the State of Alabama; the Finance Director of the State of Alabama; The Director of the Department of Industrial Relations of the State of Alabama; and the State Superintendent of Education of the State of Alabama. The results of such determination in the locality in which the contract work is to be performed shall be published and posted by the Director of Labor of the State of Alabama from time to time. The determination of prevailing wages for purposes of this Act shall be made within thirty days before the specifications are advertised or publicized for any contract and the contract must be filed within 90 days thereafter; if not, another determination, made in the manner contemplated by this section, shall be undertaken for utilization in such contract. In making such determination, this Commission may examine any pertinent data or facts which they may deem relevant and proper to the determination.

Section 3. Every contract in excess of Two Thousand Dollars ($2,000.00) for any public work to which any contracting authority is a party shall contain a provision stating the prevailing wage rate which can be paid to the workmen employed in the performance of the contract and the contract shall contain a stipulation that such workmen

shall be paid not less than such prevailing wage rate. Such contract shall also contain a provision that in the event it is found that any workmen employed by the contractor or any subcontractor covered by said contract has been paid a rate of wages less than the prevailing wage required to be paid by such contract the contracting authority may terminate the contractor's or subcontractor's right to proceed with the work, or such part of the work as to which there has been a failure to pay required wages and to prosecute the work to completion or otherwise. The contractor or any subcontractor covered by said contract and his sureties shall be liable to the contracting authority for any excess costs occasioned thereby.

Section 4. The contracting authority awarding any contract for public work or otherwise undertaking any public work shall ascertain from the Commission the prevailing wage rate in the locality in which the public work is to be performed for each craft or trade needed to perform the contract and shall specify in the contract itself what the prevailing wage rate in the locality is for each craft or trade or classification of all workmen needed to perform the contract during the anticipated term thereof. The prevailing wage rate furnished by the Commission may be amended or changed by the Commission upon its determination that a previously furnished wage rate is erroneous, but no such change shall be made within ten days of the bid date, and notice of any such change shall be furnished to all bidders.

Section 5. Contractors and subcontractors performing public work subject to the provisions of this Act shall post the prevailing wage rates for each craft and classification involved as determined by the the Commission, including the effective date of any changes thereof, in prominent and easily accessible places at the site of the work or at such place or places as are used by them to pay workmen their wages. Such contractors and subcontractors shall mail to the Department an affidavit certifying that such notice has been posted and is being maintained on the site of such work or at the place used by them to pay workmen their wages. Such affidavit shall be forwarded within 5 days of the commencement of work and shall contain sufficient information to identify the public work, the contractor, the subcontractor, the contracting authority and the prevailing wage determination number applicable to such work.

Section 6. Every contractor and subcontractor shall keep an accurate record showing the name, craft or trade, an actual hourly rate of wages paid to each workman employed by him in connection with a public work and such records shall be preserved for two (2) years from date of payment. The record shall be open at all reasonable hours to the inspection of the contracting authority and the Commission.

Section 7. The prevailing wage in the work area in which the public work is to be performed for each craft or trade or classification of all workmen needed to perform public work contracts shall be determined as provided in Section 2, item 8. In determining and computing the prevailing wage the commission provided in said Section 2, item 8, shall consider, be bound by and shall not fix the prevailing wages higher than:

(a) Wage scales fixed by union-management collective bargaining agreements in the area.

(b) The prevailing wage determination made for the area by the Secretary of Labor of the United States under the provisions of Title 40, U.S. Code, Section 276(a) the Davis-Bacon Act.

(c) The wages actually paid various classes of workmen, laborers, and mechanics employed on project of work of similar character to the contract work in the same or similar area within the state.

Section 8. The Commission in determining and computing the prevailing wage rate paid by employers of any craft or trade in the work area under consideration shall consider the following to be an integral part of the wage rate paid by employers of any craft or trade in the work area:

(a) The basic hourly rate of pay; and

(b) The amount of

(i) The rate of contribution irrevocably made by a contractor or subcontractor to a trustee or to a third person pursuant to a fund, plan, or program; and

(ii) The rate of costs to the contractor or subcontractor which may be reasonably anticipated in providing benefits to workmen pursuant to an enforcible commitment to carry out a financially responsible plan or program which was communicated in writing to the workmen affected, pensions on retirement or death, compensation for injuries or illness resulting from occupational activity, or insurance to provide any of the foregoing, for unemployment benefits, life insurance, for vacation and holiday pay, for defraying costs of apprenticeship or other similar programs, or for other bona fide fringe benefits, but only where the contractor or subcontractor is not required by other Federal, State or local law to provide any of such benefits; PROVIDED, That the obligation of a contractor or subcontractor to make payment in accordance with the prevailing wage determinations may be discharged by the making of payments in cash, by the making of contributions of a type referred to in paragraph 2 (a), or by the assumption of an enforcible commitment to bear the costs of a plan or program of a type referred to in paragraph 2 (b), or any combination thereof, where the aggregate of any such payments, contributions, and costs is not less than the rate of pay described in paragraph 1 plus the amount referred to in paragraph 2.

Section 9. Before final payment is made by any contracting authority of any sum or sums due on a public work it shall be the duty of the contracting authority to require the contractor and all subcontractors to file written statements in form satisfactory to the Director certifying to the amounts then due and owing from such contractor and subcontractors filing such statements to any and all workmen for wages due on account of the public work, setting forth therein the names of the persons whose wages are unpaid and the amount due each respectively, which statement shall be verified by the oath of the contractor or subcontractor, as the case may be. Providing, however, that nothing herein shall impair the right of a prime contractor to receive final payment because of the failure of any subcontractor to file the affidavit required by this section.

Section 10. (a) If brought to the attention of the contracting authority having public work performed under which any workman shall have been paid less than the prevailing wage set forth in the contract under which such public work was performed shall forthwith notify the Director in writing of the name of the contractor failing to pay such prevailing wages.

(b) Any workman may within one year from the date of the occurrence of the incident complained of, or within ninety (90) days after the completion of the contract work, whichever date shall first occur, file a protest in writing with the Director, under oath, objecting to the amount of wages paid for service performed by him on a public work as being less than the prevailing wages for such services but in no event shall a protest in writing be considered or acted upon by the Director unless the same has been filed within the above stated period of time.

(c) If any contractor shall be in doubt concerning the wage rate to be applied to any particular type of work performed by a workman he shall have the right to request that a determination be made by the Commission. The Commission shall make an immediate determination and any contractor relying upon such determination and complying therewith shall be deemed to have complied fully with the provisions of this Act and the prevailing wage rate involved in his contract.

Section 11. (a) In the event that the Commission shall determine after investigation that there are reasonable grounds to believe that a contractor or subcontractor has failed to pay the prevailing wage specified in his contract for public work he shall forthwith notify said contractor or subcontractor to appear at a hearing to be held not less than ten (10) days nor more than thirty (30) days thereafter which hearing shall be conducted in Montgomery County, Alabama. At this hearing evidence may be offered and received by way of affidavit or oral testimony. The attendance of witnesses and the production of documents which might be evidence at the hearing can be compelled by the issuance of subpoena by the Commission who shall issue such subpoenas as may be requested by the contractor or subcontractor. Any person failing to comply with such subpoena may be brought before the Circuit Court of Montgomery County and may be punished by such court as for a contempt thereof. Upon the conclusion of such hearing the Commission shall enter an order which shall contain his findings of fact and his decision thereon, which order shall be immediately delivered to the contractor or subcontractor involved. Said order shall be final and conclusive unless an appeal therefrom is filed as hereinafter provided. If the decision of the Commission finds a violation then the contractor or subcontractor may file written notice of appeal with the Commission within fifteen (15) days from the date of the decision. Upon receipt of such notice of appeal the Commission shall cause a transcript of the proceedings had at such hearing to be prepared and filed with the clerk of the circuit court having jurisdiction of the work area within which the alleged violation occurred, which said transcript shall be filed within thirty (30) days following receipt of notice of appeal. There shall be included in such transcript all notices and orders of the Commission, and all affidavits or other documents received in evidence at the hearing. The cause shall be docketed by the clerk of the circuit court receiving such transcript as a preferred case and shall be tried therein de novo.

(b) If it be finally determined that any contractor or subcontractor has willfully violated any provisions of this Act or willfully failed to abide by the prevailing wage, the Commission shall list and keep on record the name of such contractor or subcontractor and forthwith give notice by mail of such listing to any contracting authority requesting such information or any contracting authority thereafter requesting an ascertainment by the Commission of the prevailing wage rate applicable to a proposed contract for public work. The name of such contractor or subcontractor shall remain on said list for such period of time as may be determined by the Commission, but in no event for more than three (3) years. If it be finally determined that the violation by the accused contractor or subcontractor was not willful but occurred through inadvertence or negligence, the Commission may, in his discretion, issue a warning to such offending party or may place the name of such contractor or subcontractor on the list hereinbefore described for a period of time not exceeding six (6) months. No contract for public work shall be awarded to any contractor or subcontractor during the period of time that they appear on said list, or to any firm, corporation, partnership or association in which said contractor or subcontractor has an interest. A second determination that a violation occurred through inadvertence or negligence shall be deemed to constitute a willful violation.

Section 12. Every contractor shall furnish a list of the subcontractors to the contracting authority and the Commission within fifteen (15) days from the date of the contract with such subcontractor for the public work. Upon commencement of the work each contractor and subcontractor shall certify the weekly payroll which shall contain the employee's name, address, classification, wage rate applicable, social security number, zip code number, daily hours worked and other pertinent information as may be required by the Commission, and shall submit this to the contracting authority and the Department not less than once per calendar month during the term of such contract.

Section 13. In carrying out the duties and enforcing the provisions of this Act the Commission, in the exercise of his reasonable discretion shall have the authority to:

(a) Investigate and ascertain the wages of workmen employed in any public work;

(b) Enter and inspect the place of business or employment of any employer or workman in any public work, for the purpose of examining and inspecting any or all books, registers, payrolls, and other records of any such employer that in any way relate to or have a bearing upon the question of wages, hours, and other conditions of employment of any such workman; copy any or all of such books, registers, payrolls, and other records as he or his authorized representative may deem necessary or appropriate; and question such workmen for the purpose of ascertaining whether the provisions of this Act have been and are being complied with.

Section 14. If any workman is paid by an employer less than the prevailing wage to which such workman is entitled under the provisions of this Act, such workman may recover in a civil action the full amount of such prevailing wage less amount actually paid to him or her by the employer together with all costs and such reasonable attorneys' fees as may be allowed by the Court, and any agreement between such workman and the employer to work for less than such prevailing wage shall be no defense to the action. At the request of any workman paid less than the prevailing wage to which such workman was entitled under the provisions of this Act the Commission may bring any legal action necessary to collect the claim, and if more than one claim is made against the same employer, then all such claims may be joined in one suit, and such action may be maintained in the name of the Commission.

Section 15. Any contractor desiring to enter into a contract with the State of Alabama or any agency, department or board thereof within the scope of the requirements of this Act who is aggrieved by the specifications of wages contained in such contract, which, pursuant to section 1 of this Act, shall have been based upon wages determined by the next preceding section to be prevailing for purposes of this Act, may appeal from such determination to the circuit court of Montgomery County or of the county in which the contract work is to be performed, sitting in equity, and thence to the supreme court of Alabama. All such appeals to the circuit court shall be taken within thirty days from the date of such determination and shall be granted as a matter of right and be deemed perfected by filing with the register of the circuit court a notice of appeal and a bond for security of costs of said appeal to be approved by the register. The proceedimgs in the circuit court shall be de novo and the Commission shall be the party respondent therein. The circuit court in equity may take and consider any new or additional evidence which is legal and relevant and shall determine whether the prevailing wage so determined pursuant to the provisions of Section 5

of the Act is correct; and, if the court deems such determination incorrect and not the prevailing wage for corresponding classes of laborers and mechanics employed on projects of a similar character to the contract work in the city, town, village, or other civil subdivision of the state in which the work is to be performed, the circuit court shall fix the amount of such prevailing wages. From the judgment of the circuit court in equity, either the contractor or the Commission may appeal direct to the supreme court of Alabama within thirty days from the rendition of judgment; and the contractor shall give security for the cost of such appeal to be approved by the register of the circuit court.

Section 16. The governing authority of any municipality or other local political subdivision not otherwise covered by this Act, may, by appropriate ordinance or resolution, require the payment of the prevailing wage determined by the Commission in all public works contracts let by the said local authority. Upon the adoption of such ordinance or resolution the local authority shall thereupon become a contracting authority within the meaning of this Act, and all the provisions of this Act shall thereupon apply to the public works contracts of such local authority.

Section 17. Contracts on state projects which contain provisions requiring the payment of prevailing wages as determined by the United States secretary of labor pursuant to the federal Davis-Bacon act (United States code, title 40, section 276a et seq) are exempt from the provisions of this Act.

Section 18. The provisions of this Act are hereby declared to be severable, and if any provision of this Act or the application thereof to any person or circumstances is held unconstitutional or invalid, the remainder of this Act and the application thereof to other persons or circumstances shall not be affected thereby, but shall remain in full force and effect.

Section 19. All laws or parts of laws insofar as they are inconsistent or in conflict herewith are hereby repealed.

Section 20. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

AMENDMENT #1 TO SUBSTITUTE FOR H. B. 109

Amend Section 7 of the Substitute for H. B. 109 by striking therefrom the words and figures "Section 2, item 8" where they appear in the first paragraph thereof and in lieu thereof insert the words & figures "Section 2(1)"

AMENDMENT #2 TO THE SUBSTITUTE FOR H. B. 109

Amend Section 11 (b) by deleting the second sentence in its entirety, and substituting in lieu thereof, the following: "The name of such contractor or subcontractor shall remain on said list for such period of time as may be determined by the Commission, but in no event for more than 12 months for the first violation nor for more than three (3) years for a subsequent violation."

Mr. Pruitt moved that the House non-concur in the Senate amendments to the bill, H. 109, set out in the above and foregoing Message from the Senate and requested a Committee of Conference.

On motion of Mr. Marr, the motion of Mr. Pruitt to non-concur was tabled.

Yeas 47; Nays 29.

Yeas:

Mr. Speaker	Doss	Holman	Merrill	
Adwell	Downing	House	Owen (Baldwin)	
Agee	Edington	Jackson (F)	Pearson	
Beck	Ellis	Kilgore	Perloff	
Berryman (W)	Foshee	Lybrand	Shumate	
Bowers	Gafford	Lyons	Slate	
Brannan	Grainger	Malone	Stubbs	
Brassell	Grayson	Marr	Waggoner	
Burgess	Harris	Mays	Williams	
Collins (W)	Haygood	Meade	Wood	
Cook (Jefferson)	Headley	Meeks	Wright	
Dobbs	Hill	Melton		—47

Nays:

Messrs.:	Gloor	McCorquodale	Pruitt	
Bassett	Hain	McDonald	Smith	
Blanton	Hardin	McElhaney	Springer	
Burgreen	Higginbotham	McLain	Stembridge	
Cherner	Hobbie	Nettles	Tuck	
Collier	Holladay	Owens (W)	Turnham	
Crawford	Jones	Paulk	Yeilding	
Garrett	Manley			—29

The question, then, was on the motion of Mr. Marr to concur in and adopt the Senate amendments to the bill, H. 109, and the motion was adopted.

Yeas 67; Nays 18.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Owens (W)	
Adwell	Edington	Kilgore	Pearson	
Agee	Ellis	Lemley	Pennington	
Beck	Fine	Lybrand	Perloff	
Berryman (W)	Foshee	Lyons	Robertson	
Bowers	Gafford	Malone	Shumate	
Brannan	Gloor	Marr	Slate	
Brassell	Graham	Mays	Stembridge	
Burgess	Grainger	McCorquodale	Stubbs	
Collins (W)	Grayson	McDonald	Waggoner	
Cook (Jefferson)	Harris	McElhaney	Watkins	
Crawford	Haygood	McLain	Weeks	
Culver	Headley	Meade	Williams	
Dill	Hill	Meeks	Wood	
Dobbs	Holman	Melton	Wright	
Doss	House	Merrill	Yeilding	
Downing	Jackson (F)	Owen (Baldwin)		—67

Nays:

Messrs.:	Collins (C)	Jones	Pruitt	
Bassett	Garrett	Manley	Smith	
Blanton	Hain	Money	Springer	
Burgreen	Hardin	Nettles	Turnham	
Cherner	Higginbotham	Paulk		—18

S. 520 RESUMED

On motion of Mr. McElhaney, the substitute offered by Mr. Pennington to the bill, S. 520, was tabled.

Yeas 63; Nays 22.

Yeas:

Mr. Speaker	Drake	House	Money	
Adwell	Fine	Jackson (F)	Nettles	
Bassett	Foshee	Jackson (T)	Owens (W)	
Beck	Gafford	Kilgore	Pearson	
Blanton	Gloor	Lemley	Perloff	
Bowers	Graham	Lybrand	Pruitt	
Brassell	Hain	Lyons	Sessions	
Cameron	Hardin	Manley	Slate	
Cherner	Harper	Marr	Smith	
Collins (C)	Harris	Mathews	Springer	
Cook (Jefferson)	Headley	Mays	Starnes	
Crawford	Higginbotham	McCorquodale	Tuck	
Culver	Hill	McDonald	Waggoner	
Dobbs	Hobbie	McElhaney	Weeks	
Doss	Holladay	Melton	Wright	
Downing	Holman	Merrill		—63

Nays:

Messrs.:	Dill	Laxson	Robertson	
Agee	Ellis	Malone	Stembridge	
Berryman (W)	Garrett	McLain	Stubbs	
Brannan	Grainger	Owen (Baldwin)	Turnham	
Burgess	Grayson	Paulk	Yeilding	
Burgreen	Jones	Pennington		—22

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Slate, Beck, Bowers, Burgreen, Culver, Dobbs, Doss, Drake, Edington, Ellis, Fite, Garrett, Grainger, Haygood, Hill, Holladay, House, Laxson, Malone, Manley, Mathews, McDonald, McElhaney, McLain, Money, Pruitt, Stubbs, Tuck, Williams and Wright:

H. J. R. 183. WHEREAS, the safety of the citizens of the state of Alabama was endangered; and

WHEREAS, Governor Albert Brewer took prompt action to protect the lives and property of the citizens of Pickens County, Alabama; and

WHEREAS, by his prompt adoption of the necessary means to preserve law and order, a potentially dangerous and explosive situation was kept in hand,

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, With The Senate concurring, That Governor Brewer be commended for his prompt and efficient action to maintain law and order and preserve the safety of the local children of Alabama, and the integrity and dignity of the local school system.

On motion of Mr. Slate, the rules were suspended and H. J. R. 183 was adopted.

Also:

By Mr. Downing:

H. R. 184. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that the Assistant Clerk of the the House of Representatives be permitted to remain after the sine die adjournment of the Legislature at a rate of pay not to exceed her present rate of pay for such time as needed by the Clerk of the House.

On motion of Mr. Downing, the rules were suspended and H. R. 184 was adopted.

REPORT OF COMMITTEE OF CONFERENCE ON H. B. NO. 288

We, the committee of conference appointed to reconcile the difference of the two houses concerning the senate amendment to H. B. 288 have met in conference, considered the matter in conference, and have agreed to the following report:

We, the committee of conference on H. B. 288 agree to nonconcur in the senate amendment to H. B. 288 and substitute in lieu thereof the following amendment:

"Amend Section 1 by deleting therefrom the definition of "Peace Officer" as therein contained, and substituting therefor the following:

"Peace Officer" means any person employed by the State, any political subdivision thereof, or any municipal corporation therein, who is required by the terms of his employment, whether such employment exists by virtue of election or appointment, to give his full time to the preservation of public order and the protection of life or property, or the detection of crime in the State, but shall not include any pardon, parole or probation officer, enforcement officer for Conservation laws, district attorney, assistant district attorney, assistant attorney general, commissioners, deputy commissioner, or any municipal inspector."

"Amend Section 9, House Bill No. 288 by deleting the period at the end of the first sentence and adding in lieu thereof a semicolon and the phrase:

"Provided, however, that there shall be no additional cost imposed for violations relating to parking of vehicles."

MAURICE A. DOWNING
J. M. MAC MAYS
Conferees on the part of the House

ROLAND COOPER
J. L. ADAMS
FRED C. FOLSOM
Conferees on the part of the Senate

CONFERENCE COMMITTEE REPORT ADOPTED

On motion of Mr. Downing, the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the Senate amendment to the bill, H. 288, said report being set out in the above and foregoing Report of the Committee of Conference.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Owens (W)
Adwell	Edington	Kilgore	Paulk
Agee	Ellis	Laxson	Pearson
Bassett	Fine	Lemley	Pennington
Beck	Foshee	Lybrand	Perloff
Berryman (W)	Garrett	Lyons	Robertson
Blanton	Gloor	Malone	Sessions
Bowers	Graham	Manley	Shumate
Brannan	Grainger	Marr	Slate
Brassell	Grayson	Mathews	Smith
Burgess	Hain	Mays	Snell
Collier	Hardin	McCorquodale	Starnes
Collins (W)	Harper	McDonald	Stembridge
Cook (Coffee)	Harris	McElhaney	Stubbs
Cook (Jefferson)	Haygood	McLain	Tuck
Crawford	Headley	Meeks	Turnham
Culver	Higginbotham	Melton	Watkins
Dill	Hill	Merrill	Weeks
Dobbs	Holladay	Money	Williams
Doss	House	Nettles	Yeilding
Downing	Jackson (F)	Owen (Baldwin)	—83

And the bill, H. 288, as thus amended, was again read a third time at length and passed.

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Owens (W)
Adwell	Edington	Kilgore	Paulk
Agee	Ellis	Laxson	Pearson
Bassett	Fine	Lemley	Pennington
Beck	Foshee	Lybrand	Perloff
Berryman (W)	Garrett	Lyons	Robertson
Blanton	Gloor	Malone	Sessions
Bowers	Graham	Manley	Shumate
Brannan	Grainger	Marr	Slate
Brassell	Grayson	Mathews	Smith
Burgess	Hain	Mays	Snell
Collier	Hardin	McCorquodale	Starnes
Collins (W)	Harper	McDonald	Stembridge
Cook (Coffee)	Harris	McElhaney	Stubbs
Cook (Jefferson)	Haygood	McLain	Tuck
Crawford	Headley	Meeks	Turnham
Culver	Higginbotham	Melton	Watkins
Dill	Hill	Merrill	Weeks
Dobbs	Holladay	Money	Williams
Doss	House	Nettles	Yeilding
Downing	Jackson (F)	Owen (Baldwin)	—83

S. 520 RESUMED

Mr. Pennington offered the following amendment #1, to the bill, S. 520:

THAT SECTION 4 OF S. B. 520 IS HEREBY AMENDED TO READ AS FOLLOWS:

Section 4. The Air Pollution Control Commission.

A. There is hereby created and established an Air Pollution Control Commission of the State of Alabama, hereinafter referred to as the "Commission" which shall be composed of fourteen (14) members. Four of its members shall be representative of the public, and shall be appointed by the Governor, with the advise and consent of the Senate. Four of its members shall be representatives of public health. One representative of public health shall be the State Health Officer. The remaining three representatives of public health shall be appointed by the Governor, with the advise and consent of the Senate; four of its members shall be representative of industry or business and shall be appointed by the Governor, with the advise and consent of the Senate. All of the members appointed by the Governor shall have been residents of the State of Alabama for not less than two years prior to their respective appointments. Two members of the Legislature, one from the House of Representatives elected by the House, and one from the Senate elected by the Senate, shall serve as members of the Commission during their respective terms as a member of the Legislature and until their successor is elected.

B. The term of each member representative of the public and appointed by the Governor shall be four (4) years or until a successor is duly appointed, except that the term of those first appointed shall expire at the end of one, two, three, and four years, respectively, as designated by the Governor at the time of appointment. The term of each member representative of public health and appointed by the Governor shall be four (4) years or until a successor is duly appointed, except that the term of those first appointed shall expire at the end of one, two and three years, respectively, as designated by the Governor at the time of appointment. The representative of public health not appointed by the Governor, namely the State Health Officer, shall hold office as a member of such Commission so long as he hold office as State Health Officer and until the appointment and qualification of his successor as State Health Officer. The term of each member representative of industry or business shall be four (4) years or until a successor is duly appointed, except that the term of those first appointed shall expire at the end of one, two, three and four years, respectively, as designated by the Governor at the time of appointment. There shall be no limitation on the number of terms any appointed member may serve. If a vacancy occures in the appointed membership, and upon certification thereof by the Commission, the Governor shall appoint a person to fill the vacancy for the unexpired term of said member in accordance with the procedure as set forth in subsection (a) of this section.

C. The State Health Officer shall serve as Chairman of the Commission. Following the selection of the Commission the Chairman shall promptly call an organizational meeting. At this meeting the Commission shall elect from its membership a Vice Chairman.

D. No salary or compensation shall be paid any member of the Commission for services thereon, but this provision shall not be construed to affect in any way the regular compensation of members who are also governmental employees, their services on the Commission being considered a part of their official duties. Actual and necessary travel, subsistence and other expenses, incurred by members in the discharge of their duties as members of the Commission and as directed or requested by the Commission, shall be paid as provided by law from funds which are or may become available for the purpose of this Act.

E. The Commission shall meet regularly in February and August of each year, at times and places to be fixed by the Commission. Special meetings may be called at the discretion and upon call of the Chairman and special meetings shall be called by him upon written request of any five members to take up any matters within the jurisdiction of the Commission. All members shall be notified of the time and place of

any regular or special meeting at least ten days in advance of any such meeting; provided, however, that in an emergency situation as determined by the Chairman, the ten day notice requirement for a special meeting may be waived in writing by all members.

F. Seven voting members of the Commission shall constitute a quorum for the transaction of Commission business in both regular and special meetings. No member may desitnate by proxy or otherwise an alternate representative to attend any meeting of the Commission. The Executive Director, or his representative, shall attend all meetings but shall have no voting power.

G. The Commission shall keep a complete and accurate record of the proceedings of all its meetings, a copy of which shall be kept on file in the office of the Executive Director and open to public inspection.

H. The State Health Department shall act as the administrative agency. In addition, the Commission may employ and compensate, within appropriations available therefor, consultants, attorneys, and such assistants and employees as may be necessary to carry out the provisions of this Act and may prescribe their powers and duties.

On motion of Mr. McElhaney, the Amendment #1 offered by Mr. Pennington to the bill, S. 520, was tabled.

Yeas 51; Nays 34.

Yeas:

Mr. Speaker	Downing	Hill	Melton
Adwell	Drake	Hobbie	Merrill
Bassett	Fine	Holladay	Money
Beck	Foshee	Holman	Owens (W)
Blanton	Gafford	House	Robertson
Bowers	Gloor	Jackson (F)	Sessions
Brannan	Graham	Jackson (T)	Smith
Cherner	Hain	Kilgore	Springer
Collins (W)	Hardin	Lemley	Tuck
Cook (Coffee)	Harper	Lybrand	Waggoner
Cook (Jefferson)	Harris	Manley	Weeks
Culver	Headley	Marr	Wright
Doss	Higginbotham	McElhaney	—51

Nays:

Messrs.:	Dobbs	Lyons	Perloff
Agee	Edington	Malone	Slate
Brassell	Ellis	McDonald	Starnes
Burgess	Garrett	McLain	Stembridge
Burgreen	Grainger	Meeks	Stubbs
Collier	Grayson	Nettles	Turnham
Collins (C)	Haygood	Owen (Baldwin)	Wood
Crawford	Jones	Paulk	Yeilding
Dill	Laxson	Pennington	—34

Mr. Pennington offered Amendment #2 to the bill, S. 520, said amendment being as follows:

THAT SECTION 14 OF S. B. 520 IS HEREBY AMENDED TO READ AS FOLLOWS:

It is the intention of this act to occupy by pre-emption the field of air pollution control within all areas of the State of Alabama, and the

creation of air pollution control boards or commissions by cities and towns and by counties within this State is hereby prohibited, provided, however, that any municipal corporation having created by ordinance an air pollution control board or commission prior to July 1, 1969, is hereby exempted from this section and the right of any such municipal corporation to pass ordinances under the general police power of the State on the subject of air contamination and air pollution as defined in this act and pursuant to Title 37, Section 455, Code of Alabama, 1940, is hereby specifically reserved, provided, however, that no ordinance of any municipal corporation shall be held to suspend or revoke any rule or regulation or any air quality standard promulgated by the Alabama Air Pollution Control Commission. Provided further, that the authority of any municipal corporation having created by ordinance an air pollution control board or commission prior to July 1, 1969, to abate nuisances is hereby specifically saved and reserved from the operation of this act. Any state, county, or municipal body, or agency, who, in the determination of the State Air Pollution Control Commission is competent to render administrative or technical services to assist the Commission in carrying out the purposes of this act is hereby empowered to contract with the commission, or with any county or municipal commission, for the performance of administrative or technical services. The State Commission created pursuant to this act shall have the right to contract with the U. S. Government, or with any agency thereof, for grants or assistance and to do any and all things necessary and desirable to carry out the authority of this act.

On motion of Mr. McElhaney, the Amendment #2 offered by Mr. Pennington to the bill, S. 520, was tabled.

Yeas 52; Nays 34.

Yeas:

Mr. Speaker	Doss	Hobbie	Owens (W)
Adwell	Downing	Holman	Pruitt
Bassett	Drake	House	Sessions
Blanton	Foshee	Jackson (F)	Shumate
Bowers	Gafford	Jackson (T)	Slate
Brannan	Garrett	Kilgore	Smith
Cameron	Graham	Lybrand	Springer
Cherner	Hain	Manley	Starnes
Collins (W)	Hardin	Marr	Stembridge
Cook (Coffee)	Harper	McElhaney	Tuck
Cook (Jefferson)	Harris	Meade	Waggoner
Crawford	Higginbotham	Merrill	Weeks
Culver	Hill	Money	Wright

—52

Nays:

Messrs.:	Edington	Lyons	Perloff
Agee	Ellis	Malone	Robertson
Beck	Fine	McLain	Stubbs
Brassell	Grainger	Meeks	Turnham
Burgess	Grayson	Melton	Williams
Burgreen	Holladay	Nettles	Wood
Collier	Jones	Owen (Baldwin)	Yeilding
Collins (C)	Laxson	Paulk	Young
Dobbs	Lemley	Pennington	

—34

And the bill, S. 520, was read a third time at length, and passed.

Yeas 71; Nays 10.

Yeas:

Mr. Speaker	Edington	Jackson (F)	Owens (W)
Adwell	Ellis	Jackson (T)	Perloff
Agee	Foshee	Kilgore	Pruitt
Bassett	Gafford	Lemley	Sessions
Beck	Garrett	Lybrand	Shumate
Blanton	Gloor	Lyons	Slate
Bowers	Graham	Malone	Smith
Brannan	Grayson	Manley	Springer
Cameron	Hain	Marr	Starnes
Cherner	Hardin	McDonald	Stembridge
Collier	Harper	McElhaney	Tuck
Collins (W)	Harris	Meade	Turnham
Cook (Jefferson)	Higginbotham	Meeks	Waggoner
Crawford	Hill	Melton	Weeks
Dobbs	Hobbie	Merrill	Williams
Doss	Holladay	Money	Wood
Downing	Holman	Nettles	Wright
Drake	House	Owen (Baldwin)	—71

Nays:

Messrs.:	Fine	Laxson	Robertson
Brassell	Grainger	McLain	Young
Burgreen	Jones	Pennington	—10

And the bill:

S. 521. To amend Section 402 of Title 51 of the Code of Alabama of 1940, as heretofore amended, to provide for the allowance of a deduction, for Alabama corporate income tax purposes, for all amounts invested in devices, parts of devices, systems or facilities used or placed in operation in the State of Alabama, or to be used or placed in operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, to provide for, in lieu of such deduction, the amortization of all such amounts over such period (not exceeding the useful life of the devices, parts, systems or facilities for which such amounts were expended) as shall be specified in the tax return respecting the taxable year during which such amounts were expended and for appropriate deductions of the amounts so amortized, to provide that the taking of any such deductions shall be optional with the taxpayer, to provide that any such deduction, if taken, shall be in lieu of any other allowance for depreciation or obsolescence with respect to such devices, parts, systems or facilities, and to provide that none of such deductions shall be subject to any apportionment or allocation otherwise required and that all thereof shall be allowed in full.

Was read a third time at length and passed.

Yeas 78; Nay 1.

Yeas:

Mr. Speaker	Cameron	Dill	Foshee
Adwell	Cherner	Dobbs	Gafford
Agee	Collier	Doss	Garrett
Bassett	Collins (W)	Downing	Gloor
Beck	Cook (Coffee)	Drake	Graham
Blanton	Cook (Jefferson)	Edington	Grayson
Bowers	Crawford	Ellis	Hain
Brannan	Culver	Fine	Hardin

Harper	Lemley	Merrill	Smith
Harris	Lybrand	Money	Springer
Higginbotham	Lyons	Nettles	Starnes
Hill	Malone	Neville	Stembridge
Hobbie	Manley	Owen (Baldwin)	Tuck
Holladay	Marr	Pearson	Turnham
Holman	Mays	Perloff	Waggoner
House	McDonald	Pruitt	Williams
Jackson (F)	McElhaney	Sessions	Wood
Jackson (T)	Meade	Shumate	Wright
Kilgore	Meeks	Slate	Yeilding
Laxson	Melton		

—78

Nay: Mr. Brassell —1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the House amendment to the Bill:

S. 125. Pertaining to the salaries, tenure and removal of supernumerary district attorneys.

said Conference Report being in words and figures as follows, to-wit:

REPORT OF COMMITTEE OF CONFERENCE
ON SENATE BILL 125

We, the committee of conference appointed to reconcile the differences between the two houses concerning the bill, SB 125, have met and considered the matter referred and beg leave to report as follows:

That the House recede from its position as to the amendment on SB 125, and that the House pass the bill as passed by the Senate.

A. STEWART O'BANNON, JR.
J. J. PIERCE
ALTON L. TURNER
Senate Conferees

D. COOK, (Coffee)
IRA D. PRUITT
MAURICE A. DOWNING
House Conferees

And said Bill, S. B. 125, together with the Conference Report, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Coffee), the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 125, said report being set out in the above and foregoing Message from the Senate.

Yeas 71; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Paulk
Agee	Drake	Kilgore	Pearson
Bassett	Edington	Laxson	Pennington
Berryman (W)	Fine	Lemley	Perloff
Blanton	Foshee	Lyons	Pruitt
Brannan	Graham	Malone	Robertson
Brassell	Grainger	Manley	Sessions
Burgess	Grayson	Marr	Smith
Burgreen	Hain	Mays	Snell
Cherner	Hardin	McCorquodale	Starnes
Collier	Harper	McDonald	Stembridge
Collins (W)	Harris	McElhaney	Tuck
Cook (Coffee)	Haygood	Meade	Turnham
Cook (Jefferson)	Headley	Melton	Williams
Crawford	Higginbotham	Money	Wood
Culver	Hill	Nettles	Yeilding
Dill	Holladay	Owen (Baldwin)	Young
Dobbs	House	Owens (W)	—71

And the bill, S. 125, was again read a third time at length and passed.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Downing	Kilgore	Pearson
Agee	Drake	Laxson	Pennington
Bassett	Edington	Lemley	Perloff
Berryman (W)	Fine	Lyons	Pruitt
Blanton	Foshee	Manley	Robertson
Brannan	Graham	Marr	Sessions
Brassell	Grainger	Mays	Smith
Burgess	Grayson	McCorquodale	Starnes
Burgreen	Hain	McDonald	Stembridge
Collier	Hardin	McElhaney	Tuck
Collins (W)	Harper	Meade	Turnham
Cook (Coffee)	Harris	Melton	Williams
Cook (Jefferson)	Headley	Money	Wood
Crawford	Higginbotham	Owen (Baldwin)	Wright
Culver	Holladay	Owens (W)	Yeilding
Dill	House	Owens (W.E.)	Young
Dobbs	Jackson (F)		—66

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the House amendment to the Bill:

S. 637. To limit the period in which an appeal may be taken to the Supreme Court from any action or proceeding to set aside, contest or question the validity of any bonds issued by the State of Alabama, or by any department, commission, board, public corporation, authority, or other agency or instrumentality thereof; to set the time for the filing of the transcript of such appeal in the Supreme Court and of appellant's and appellee's briefs therein, and to establish a procedure for the hearing of such appeals by the Supreme Court.

said Conference Report being in words and figures as follows, to-wit:

REPORT OF COMMITTEE OF CONFERENCE RELATIVE TO S. B. 637

The Committee of Conference appointed to reconcil the disagreement between the two houses on the House amendment to the bill, S. B. 637, has met, considered the matter, and reports as follows:

We recommend that the Senate accede to the House Amendment to the bill and that the bill as passed by the House be adopted.

J. J. PIERCE
TOM RADNEY
GEO. LEWIS BAILES, JR.
Conferees on the part of the Senate

CURTIS H. SPRINGER, JR.
BILLY LAXSON
JAMES PAULK
Conferees on the part of the House

And said Bill, S.B. 637, together with the Conference Report, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. House, the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 637, said report being set out in the above and foregoing Message from the Senate.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Drake	House	Owen (Baldwin)
Adwell	Edington	Jackson (F)	Owens (W)
Agee	Ellis	Jackson (T)	Pearson
Bassett	Fine	Kilgore	Perloff
Beck	Foshee	Laxson	Pruitt
Blanton	Gafford	Lemley	Robertson
Bowers	Garrett	Lybrand	Sessions
Brannan	Gloor	Lyons	Shumate
Burgreen	Graham	Malone	Slate
Cameron	Grainger	Manley	Smith
Cherner	Grayson	Marr	Springer
Collins (W)	Hain	Mays	Stembridge
Cook (Coffee)	Hardin	McElhaney	Tuck
Cook (Jefferson)	Harper	Meade	Turnham
Crawford	Harris	Meeks	Waggoner
Culver	Haygood	Melton	Williams
Dill	Hill	Merrill	Wood
Dobbs	Hobbie	Money	Wright
Doss	Holladay	Nettles	Yeilding
Downing	Holman	Neville	

—79

And the bill, S. 637, as thus amended, was again read a third time at length and passed.

Yeas 76; Nay 1.

Yeas:

Mr. Speaker	Drake	Holman	Neville
Adwell	Edington	House	Owen (Baldwin)
Agee	Ellis	Jackson (F)	Owens (W)
Bassett	Fine	Jackson (T)	Pearson
Beck	Foshee	Kilgore	Perloff
Blanton	Garrett	Laxson	Pruitt
Bowers	Gloor	Lemley	Robertson
Brannan	Graham	Lybrand	Sessions
Burgreen	Grainger	Lyons	Shumate
Cameron	Grayson	Malone	Slate
Collins (W)	Hain	Manley	Smith
Cook (Coffee)	Hardin	Marr	Springer
Cook (Jefferson)	Harper	Mays	Tuck
Crawford	Harris	McElhaney	Turnham
Culver	Haygood	Meade	Waggoner
Dill	Headley	Meeks	Williams
Dobbs	Higginbotham	Melton	Wood
Doss	Hobbie	Merrill	Wright
Downing	Holladay	Money	Yeilding

—76

Nay: Mr. Nettles —1

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the House amendment to the Bill:

S. 674. To regulate further the office of sheriff in this State; to prescribe the annual salaries of sheriffs of the several counties of the state classified on a population basis; to provide for operation of the sheriff's office on a salary basis; to provide for and regulate the collection of sheriffs' fees and the payment thereof into the county treasury; to repeal conflicting laws, general, local and special.

said Conference Report being in words and figures as follows, to-wit:

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL 674

We, the committee of conference appointed to reconcile the differences between the two houses concerning the bill, S. B. 674, have met and considered the matter referred and beg leave to report as follows:

Amend Senate Bill 674, as amended by Substitute, by substituting for Section 1 of said bill the following numbered Section 1:

"Section 1. Sheriffs of the several counties in this State shall be compensated for their services by an annual salary payable in equal installments out of the county treasury as the salaries of other county employees are paid. The annual salary of the sheriff shall depend on the number of inhabitants of the county as shown by the most recent federal decennial census of population of the county and shall be in such amount as is hereinafter prescribed:

"In counties having a population of 12,400 or less, the annual salary of the sheriff shall be $10,000. In counties having populations of not

more than 20,000 nor less than 12,400, the annual salary of the sheriff shall be $12,000.

"In counties having populations of not less than 20,000 nor more than 30,000 the annual salary of the sheriff shall be $13,000;

"In counties having populations of not less than 30,000 nor more than 96,000 the annual salary of the sheriff shall be $15,000, except that in all counties having a population of not less than 50,000 nor more than 51,000 the annual salary of the sheriff shall be $12,000, and in counties having a population of not less than 48,500 nor more than 49,500 the salary of the sheriff shall be $16,000;

"In counties having populations of not less than 96,000 nor more than 125,000 the annual salary of the sheriff shall be $16,500;

"In counties having populations of not less than 125,000 nor more than 500,000 the annual salary of the sheriff shall be $18,000;

"In all counties having a population of more than 500,000 the annual salary of the sheriff shall be $19,000.

"Such salary shall be in lieu of all fees, compensation, allowances, percentages, charges and costs, except as herein otherwise provided. The sheriff and his deputies shall, however, be entitled to collect and retain such mileage and expense allowances as may be payable according to law for returning or transferring prisoners and insane persons to or from points outside the county."

Also, amend Senate Bill 674, by substituting for Section 2 of said bill the following numbered Section 2:

"Section 2. All fees, commissions, percentages, allowances, charges and court costs heretofore collectible for the use of the sheriff and his deputies including the allowances and amounts received for feeding prisoners, shall be collected and paid into the general fund of the county except that in all counties having a population of not less than 50,000 nor more than 51,000 and in counties having a population of not less than 56,000 nor more than 60,000 both as shown by the most recent decennial census of said counties shall be paid the allowances authorized for the feeding of prisoners and in those counties where sheriff's office is now authorized by law to collect the allowances for the feeding of prisoners, shall be allowed to continue to collect and retain said amounts and allowances received from the feeding of prisoners."

W. H. LINDSEY, III
Chairman
HUGH MORROW, III
J. J. PIERCE
Senate Conferees

DREXEL COOK
Chairman
JOHN W. COOK
BERT BANK
House Conferees

And said Bill, S. B. 674, together with the Conference Report, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

Mr. Cook (Coffee) moved that the House concur in and adopt the Report of the Committee of Conference on the disagreement of the two Houses on the bill, S. 674, said report being set out in the above and foregoing Message from the Senate.

Mr. Snell offered a substitute motion that the House non-concur in the Committee of Conference and asked for another Committee of Conference.

On motion of Mr. Cook (Coffee), the motion of Mr. Snell to non-concur was tabled.

Yeas 49; Nays 30.

Yeas:

Mr. Speaker	Dill	Hain	McLain
Adwell	Dobbs	Hardin	Melton
Agee	Doss	Harris	Merrill
Bassett	Downing	Headley	Money
Berryman (W)	Drake	House	Owen (Baldwin)
Blanton	Ellis	Jackson (F)	Pearson
Bowers	Fine	Jones	Robertson
Burgess	Foshee	Lemley	Sessions
Collins (W)	Garrett	Marr	Slate
Cook (Coffee)	Graham	Mays	Stubbs
Cook (Jefferson)	Grainger	McCorquodale	Waggoner
Crane	Grayson	McDonald	Williams
Culver			—49

Nays:

Messrs.:	Crawford	Lyons	Perloff
Beck	Gloor	Malone	Smith
Bolton	Harper	Meade	Starnes
Brassell	Haygood	Nettles	Stembridge
Burgreen	Higginbotham	Neville	Turnham
Cherner	Hill	Owens (W)	Wood
Collier	Holladay	Paulk	Yeilding
Collins (C)	Laxson	Pennington	—30

Mr. Crawford moved that the bill, S. 674, be postponed until 11:30 o'clock P. M.

On motion of Mr. Cook (Coffee), the motion of Mr. Crawford to postpone was tabled.

Yeas 45; Nays 31.

Yeas:

Mr. Speaker	Doss	Harris	Money
Agee	Downing	Headley	Owen (Baldwin)
Bassett	Drake	Holman	Pearson
Blanton	Fine	House	Robertson
Bowers	Foshee	Jackson (F)	Sessions
Brannan	Garrett	Lemley	Springer
Collins (W)	Graham	Malone	Starnes
Cook (Coffee)	Grainger	Marr	Stembridge
Cook (Jefferson)	Grayson	McCorquodale	Stubbs
Crane	Hain	Melton	Waggoner
Dill	Hardin	Merrill	Williams
Dobbs			—45

Nays:

Messrs.:	Edington	Jones	Perloff
Beck	Ellis	Lybrand	Pruitt
Berryman (W)	Gloor	Lyons	Shumate
Burgess	Haygood	Manley	Smith
Cherner	Higginbotham	Meade	Snell
Collier	Hill	Meeks	Turnham
Collins (C)	Holladay	Nettles	Wood
Crawford	Jackson (T)	Neville	Yeilding

—31

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 692. Regulating the practice of radiologic technology, providing for appointment and operation of the Board of Radiologic Technologists Examiners for the State of Alabama; providing for examination and licensing of radiologic technologists; providing for the enforcement of this act; and prescribing penalties and fees.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 614. To amend further Section 706, Title 51, Code of Alabama (1940), as amended, by providing further for the transfer of ownership of motor vehicle license tages.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

S. 674 CONTINUED

Mr. Holladay moved to non-concur in the Report of Committee of Conference on the bill, S. 674, and asked for a new Committee of Conference.

On motion of Mr. Cook (Coffee), the motion of Mr. Holladay was tabled.

Yeas 43; Nays 39.

Yeas:

Mr. Speaker	Downing	Headley	Owen (Baldwin)	
Adwell	Drake	Holman	Pearson	
Agee	Edington	House	Robertson	
Bassett	Foshee	Jackson (F)	Slate	
Berryman (W)	Garrett	Lemley	Springer	
Blanton	Graham	Malone	Starnes	
Cook (Coffee)	Grainger	McCorquodale	Stubbs	
Cook (Jefferson)	Grayson	McLain	Waggoner	
Dill	Hain	Melton	Weeks	
Dobbs	Hardin	Merrill	Williams	
Doss	Harris	Money		—43

Nays:

Messrs.:	Ellis	Laxson	Pennington	
Beck	Fine	Lybrand	Perloff	
Brannan	Gloor	Lyons	Pruitt	
Brassell	Haygood	Manley	Sessions	
Burgreen	Higginbotham	Marr	Shumate	
Cameron	Hill	Meade	Smith	
Cherner	Hobbie	Nettles	Tuck	
Collier	Holladay	Neville	Turnham	
Collins (C)	Jackson (T)	Owens (W)	Wood	
Crawford	Jones	Paulk	Yeilding	
				—39

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 179. Naming the Headquarters Building of the Alabama Highway Department "The Herman L. Nelson Highway Building".

Also:

H. J. R. 181. Extending the appreciation of the Legislature to Mr. C. E. (Butch) Avinger, Superintendent of Banks, and Mr. John Miller, Executive Director of the Commission on Aging, on their many services to the Legislature during the current session.

Also:

H. J. R. 182. Relative to raising the speed limit on the highways of the interstate system in Alabama.

McDOWELL LEE,
Secretary.

S. 674 CONTINUED

Mr. Burgess moved that the bill, S. 674, be carried over until eleven o'clock P. M.

The motion of Mr. Cook (Coffee) to table the motion of Mr. Burgess to carry over was lost.

Yeas 37; Nays 41.

Yeas:

Mr. Speaker	Downing	Headley	Merrill
Agee	Edington	Hobbie	Money
Bassett	Foshee	House	Pearson
Blanton	Garrett	Jackson (F)	Springer
Cameron	Graham	Lemley	Starnes
Cook (Coffee)	Grainger	Malone	Stubbs
Cook (Jefferson)	Grayson	McCorquodale	Waggoner
Culver	Hain	McDonald	Williams
Dobbs	Harris	Melton	Young
Doss			—37

Nays:

Messrs.:	Fine	Lyons	Robertson
Adwell	Gafford	Manley	Shumate
Beck	Gloor	Marr	Smith
Berryman (W)	Harper	Mathews	Snell
Brannan	Haygood	Meade	Stembridge
Burgreen	Higginbotham	Nettles	Tuck
Cherner	Hill	Owens (W)	Turnham
Collier	Holladay	Pennington	Wood
Collins (C)	Jackson (T)	Perloff	Wright
Crawford	Jones	Pruitt	Yeilding
Drake	Lybrand		—41

The question, then, was on the motion of Mr. Burgess to carry over the bill, S. 674, until eleven o'clock P. M. And the motion was adopted.

Yeas 48; Nays 35.

Yeas:

Messrs.:	Dobbs	Jones	Perloff
Adwell	Drake	Lybrand	Pruitt
Beck	Ellis	Manley	Robertson
Berryman (W)	Gafford	Marr	Sessions
Brannan	Gloor	Mathews	Shumate
Burgess	Harper	McElhaney	Smith
Burgreen	Haygood	Meade	Springer
Cameron	Higginbotham	Meeks	Stembridge
Cherner	Hill	Nettles	Tuck
Collier	Hobbie	Owens (W)	Turnham
Collins (C)	Holladay	Paulk	Wood
Collins (W)	Jackson (T)	Pennington	Yeilding
Crawford			—48

Nays:

Mr. Speaker	Doss	Harris	Neville
Agee	Downing	Headley	Pearson
Bassett	Edington	House	Starnes
Blanton	Foshee	Jackson (F)	Stubbs
Bowers	Garrett	Lemley	Waggoner
Brassell	Graham	McCorquodale	Williams
Cook (Coffee)	Grainger	McDonald	Wright
Cook (Jefferson)	Grayson	Melton	Young
Culver	Hain	Money	—35

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 2. To amend Sections 1, 2, 9, and 13 of Act No. 1, H. 46, approved May 22, 1945, General Acts of Alabama, 1945, page 1; to further amend Section 4 of Act No. 1, H. 46, approved May 22, 1945, as amended by Act No. 671, S. 407, approved September 19, 1949, General Acts of Alabama, 1949, page 1033; and to further amend Section 12 of Act No. 1, H. 46, approved May 22, 1945 as amended by Act No. 83, H. 6, approved April 12, 1956, General Acts of Alabama, Second Special Session, 1956, page 374, which Act provided for the regulation, control, and supervision of the drilling for and the production and use of oil and gas in the State of Alabama. The amendments will update the terminology of the basic conservation statute necessitated by technological advances, remove the 40-acre limitation on spacing, authorize the Board to integrate undivided interests and authorize downhole commingling of production from thin sands.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Owen (Baldwin), the House concurred in and adopted the Senate amendment to the bill, H. 2, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 1 of Act No. 1, H. 46, approved May 22, 1945, General Acts of Alabama 1945, page 1; to further amend Section 4 of Act No. 1, H. 46, approved May 22, 1945, as amended by Act No. 671, S. 407, approved September 19, 1949, General Acts of Alabama 1949, page 1033, pertaining to regulation, control, and supervision of oil and gas in the state of Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 1, H. 46, approved May 22, 1945, General Acts of Alabama of 1945, page 1, an act to conserve natural resources, prevent waste and provide for regulation, control, and supervision of the drilling for and the production and use of oil and gas in the State of Alabama is hereby amended to read as follows:

"Section 1. Declaration of Legislative Policy. The prevention of waste of oil and gas and the protection of correlative rights are declared to be in the public interest. The purpose of this act is to prevent such waste and to protect correlative rights."

Section 2. Section 4 of Act No. 1, H. 46, approved May 22, 1945, General Acts of Alabama of 1945, page 4, as amended by Act No. 671, S. 407, approved September 19, 1949, General Acts of Alabama of 1949, page 1033, is hereby amended to read as follows:

"Section 4. State Oil and Gas Supervisor. The State geologist shall be, ex-officio, the State Oil and Gas Supervisor, and shall perform all of the duties of, and is hereby vested with all the powers imposed upon and vested in the State Oil and Gas Supervisor under and by the terms and provisions of this article. The State Oil and Gas Supervisor shall be charged with the duty of enforcing this article and all rules, regulations, and orders promulgated by the Board. The State Oil and Gas Supervisor shall be, ex-officio, Secretary of the Board and shall keep all minutes and records of the Board. He shall, as secretary, give bond in such sum as the Board may direct with corporate surety to be approved by the Board, conditioned that he will well and truly account for any funds coming into his hands. The state geologist shall receive Thirty-Six Hundred Dollars ($3600.00) per annum for the performance of his duty under this article."

Section 3. If any clause, sentence, paragraph, provision, part, or section of this Act shall for any reason be adjudged by any court of competent jurisdiction invalid, such judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, provision, part, or section thereof directly involved in the controversy in which such judgment shall have been rendered.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor or by its otherwise becoming a law.

Yeas 61; Nays 2.

Yeas:

Mr. Speaker	Drake	Kilgore	Owen (Baldwin)
Agee	Ellis	Laxson	Owens (W)
Bassett	Fine	Lemley	Pearson
Berryman (W)	Foshee	Lybrand	Pennington
Blanton	Gafford	Malone	Perloff
Bowers	Garrett	Manley	Pruitt
Brannan	Graham	Marr	Robertson
Brassell	Grainger	McCorquodale	Smith
Burgreen	Grayson	McDonald	Snell
Cherner	Hain	Meade	Springer
Collins (C)	Hardin	Meeks	Stubbs
Collins (W)	Harper	Melton	Tuck
Cook (Coffee)	Jackson (F)	Merrill	Turnham
Culver	Jackson (T)	Money	Wood
Doss	Jones	Nettles	Wright
Downing			

—61

Nays: Messrs. Adwell and Sessions —2

And the bill, as thus amended:

To amend Section 1 of Act No. 1, H. 46, approved May 22, 1945, General Acts of Alabama 1945, page 1; to further amend Section 4 of Act No. 1, H. 46, approved May 22, 1945, as amended by Act No. 671, S. 407, approved September 19, 1949, General Acts of Alabama 1949, page 1033, pertaining to regulation, control, and supervision of oil and gas in the state of Alabama.

Was again read a third time at length and passed.

Yeas 61; Nays 2.

Yeas:

Mr. Speaker	Drake	Kilgore	Owen (Baldwin)
Agee	Ellis	Laxson	Owens (W)
Bassett	Fine	Lemley	Pearson
Berryman (W)	Foshee	Lybrand	Pennington
Blanton	Gafford	Malone	Perloff
Bowers	Garrett	Manley	Pruitt
Brannan	Graham	Marr	Robertson
Brassell	Grainger	McCorquodale	Smith
Burgreen	Grayson	McDonald	Snell
Cherner	Hain	Meade	Springer
Collins (C)	Hardin	Meeks	Stubbs
Collins (W)	Harper	Melton	Tuck
Cook (Coffee)	Jackson (F)	Merrill	Turnham
Culver	Jackson (T)	Money	Wood
Doss	Jones	Nettles	Wright
Downing			

—61

Nays: Messrs. Adwell and Sessions —2

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

S. 645. To create a state commission to be known as the State Capitol Preservation Commission; to provide for the number, term and appointment of members of the commission; to prescribe the commission's authority; and to provide that members of the commission shall serve without compensation or reimbursement of expenses.

said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the Senate of the
State of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning Senate Bill 645 with a suggested Executive Amendment.

Respectfully submitted,

ROBERT M. CLECKLER,
Executive Secretary.

September 4, 1969

To the Senate of the
State of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you herewith, the Body in which it originated, Senate Bill No. 645 without my approval.

I respectfully suggest that Senate Bill 645 be amended by striking the period at the end of Section 2 of said Senate Bill 645 and insert in lieu thereof a comma and add the following words thereafter:

"and provided, further, that no changes or renovations to the Capitol Building and grounds as hereinabove defined (other than the legislative chambers, legislative lounges and legislative meeting rooms provided for in the first provision hereinabove) shall be undertaken or initiated without the approval of the Governor."

I have discussed this amendment with the sponsors of this legislation and it is at their request that this Executive Amendment is made.

Respectfully,

ALBERT P. BREWER,
Governor.

September 4, 1969

And the Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, S.B. 645 by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 24 Nays 0.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 25, Nays 0.

And said Bill, S.B. 645, together with the Executive Amendment, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Edington, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, S. 645, said Governor's amendment being set out in the above and foregoing Message from the Senate.

Yeas 63; **Nays 0.**

Yeas:

Mr. Speaker	Fine	Laxson	Pearson
Agee	Foshee	Lemley	Pennington
Bassett	Garrett	Lybrand	Perloff
Beck	Gloor	Lyons	Pruitt
Berryman (W)	Graham	Malone	Robertson
Blanton	Grainger	Manley	Shumate
Bowers	Grayson	Marr	Smith
Brannan	Hain	McElhaney	Springer
Brassell	Hardin	Meade	Tuck
Burgreen	Harper	Meeks	Turnham
Cameron	Higginbotham	Melton	Weeks
Collins (W)	Hobbie	Merrill	Williams
Doss	Holladay	Money	Wood
Downing	Jackson (F)	Nettles	Wright
Drake	Jackson (T)	Owen (Baldwin)	Yeilding
Ellis	Kilgore	Owens (W)	—63

Which was a majority of the whole number elected to the House.

And said bill:

S. 645. To create a state commission to be known as the State Capitol Preservation Commission; to provide for the number, term and appointment of members of the commission; to prescribe the commission's authority; and to provide that members of the commission shall serve without compensation or reimbursement of expenses.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (T)	Owens (W)
Adwell	Ellis	Kilgore	Pearson
Agee	Fine	Lemley	Pennington
Bank	Foshee	Lybrand	Perloff
Bassett	Gafford	Lyons	Pruitt
Berryman (W)	Garrett	Malone	Robertson
Blanton	Gloor	Manley	Shumate
Bowers	Graham	Marr	Smith
Brannan	Grainger	McElhaney	Springer
Brassell	Grayson	McLain	Tuck
Burgreen	Hain	Meade	Turnham
Cameron	Hardin	Melton	Weeks
Cherner	Harper	Merrill	Williams
Collins (C)	Higginbotham	Money	Wood
Collins (W)	Hobbie	Nettles	Wright
Crawford	Holladay	Neville	Yeilding
Doss	House	Owen (Baldwin)	Young
Downing	Jackson (F)		—70

Which was a majority of the whole number elected to the House.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 106. To permit persons, firms, corporations, partnerships and associations when borrowing money in amounts of not less than $100,000 to pay such rates of interest on the loan or forbearance of money as such borrower may agree to pay without regard to any provision of law limiting interest rates, and denying to such borrower and to other persons who may become liable thereon the right to claim or raise the defense of usury.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. McDonald, the House concurred in and adopted the Senate amendment to the bill, H. 106, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To permit persons, firms, corporations not organized for profit, the state board of education and the trustees of all state institutions where

education is a part of the program of the institution, partnerships and associations when borrowing money in amounts of not less than $100,000 to pay such rates of interest not to exceed the rate of fifteen percent per annum on the loan or forbearance of money as such borrower may agree to pay without regard to any provision of law limiting interest rates, and denying to such borrower and to others who may become liable thereon the right to claim or raise the defense of usury.

Be It Enacted by the Legislature of Alabama:

Section 1. Any person, firm, corporations not organized for profit, the state board of education and the trustees of all state institutions where education is a part of the program of the institution as referred to in Title 52, Sec 37, Code of Alabama (1940), partnership or association when borrowing money in amounts of not less than $100,000 may agree to pay such rate or rates of interest not to exceed a rate of fifteen percent per annum for the loan or forbearance of money as such person, firm, non-profit corporation, board, trustees, partnership or association may determine, notwithstanding any law of this state otherwise prescribing or limiting such rate or rates of interest. As to any such agreement, neither such person, firm, non-profit corporation, board, trustees, partnership or association, nor any surety guarantor, endorser, or any other person, firm, partnership, association, or corporation, which may become liable, in whole or in part, for the payment of the debt and interest agreed to be paid thereon in accordance with the terms hereof, or under any extension, amendment or renewal thereof, may raise or claim the defense or benefit of the usury laws or any other law prescribing, regulating or limiting such rate or rates of interest.

Section 2. The provisions of this Act are cumulative and shall be construed in pari materia with other laws prescribing or limiting rates of interest on the loan of money and not in repeal thereof.

Section 3. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming law.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Downing	Holladay	Nettles
Adwell	Drake	Holman	Neville
Agee	Edington	Jackson (F)	Owen (Baldwin)
Bank	Ellis	Jackson (T)	Pearson
Bassett	Fine	Kilgore	Pennington
Beck	Foshee	Laxson	Perloff
Berryman (W)	Garrett	Lemley	Pruitt
Blanton	Graham	Lyons	Sessions
Bowers	Grainger	Malone	Shumate
Brannan	Grayson	Manley	Smith
Brassell	Hain	Marr	Tuck
Burgreen	Hardin	McElhaney	Turnham
Cameron	Harper	McLain	Weeks
Collins (C)	Harris	Meade	Williams
Collins (W)	Haygood	Meeks	Wood
Cook (Jefferson)	Higginbotham	Melton	Wright
Culver	Hill	Merrill	Yeilding
Doss	Hobbie	Money	Young

—72

And the bill, H. 106, as thus amended:

To permit persons, firms, corporations not organized for profit, the state board of education and the trustees of all state institutions where education is a part of the program of the institution, partnerships and associations when borrowing money in amounts of not less than $100,000 to pay such rates of interest not to exceed the rate of fifteen per cent per annum on the loan or forbearance of money as such borrower may agree to pay without regard to any provision of law limiting interest rates, and denying to such borrower and to others who may become liable thereon the right to claim or raise the defense of usury.

Was again read a third time at length and passed.

Yeas 72; Nays 0.

Yeas:

Mr. Speaker	Downing	Holladay	Nettles
Adwell	Drake	Holman	Neville
Agee	Edington	Jackson (F)	Owen (Baldwin)
Bank	Ellis	Jackson (T)	Pearson
Bassett	Fine	Kilgore	Pennington
Beck	Foshee	Laxson	Perloff
Berryman (W)	Garrett	Lemley	Pruitt
Blanton	Graham	Lyons	Sessions
Bowers	Grainger	Malone	Shumate
Brannan	Grayson	Manley	Smith
Brassell	Hain	Marr	Tuck
Burgreen	Hardin	McElhaney	Turnham
Cameron	Harper	McLain	Weeks
Collins (C)	Harris	Meade	Williams
Collins (W)	Haygood	Meeks	Wood
Cook (Jefferson)	Higginbotham	Melton	Wright
Culver	Hill	Merrill	Yeilding
Doss	Hobbie	Money	Young

—72

MOTION TO RECONSIDER H. 28

Having voted on the prevailing side, Mr. Young moved that the vote by which the bill, H. 28, was sent to a Committee of Conference be reconsidered. And the motion was adopted.

Yeas 62; Nays 18.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Pearson
Adwell	Edington	Jones	Pennington
Agee	Ellis	Lemley	Pruitt
Bank	Fine	Lyons	Robertson
Bassett	Foshee	Manley	Shumate
Beck	Gloor	Mathews	Smith
Berryman (W)	Graham	Mays	Snell
Blanton	Grainger	McLain	Springer
Brannan	Grayson	Melton	Stembridge
Brassell	Hain	Merrill	Stubbs
Brown	Hardin	Nettles	Tuck
Collier	Harper	Neville	Turnham
Collins (C)	Haygood	Owen (Baldwin)	Williams
Cook (Coffee)	Higginbotham	Owens (W)	Wright
Crawford	Hill	Paulk	Young
Downing	Holladay		

—62

Nays:

Messrs.:	Garrett	Malone	Waggoner	
Bowers	Holman	Marr	Watkins	
Burgreen	House	Meeks	Weeks	
Collins (W)	Jackson (T)	Perloff	Wood	
Cook (Jefferson)	Kilgore	Sessions		—18

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the Senate amendment to the Bill:

H. 288. To create a retirement system for peace officers as defined herein; to create the Board of Commissioners of the Alabama Peace Officers' Annuity and Benefit Fund and to establish the said Fund; to provide for the method of selection of the members of the said Board and their successors, and to fix their compensation; to provide for the organization and operation of the said Board and the employment of an executive director; to fix the maximum salary of such executive director, and to define his powers; to provide for the disposition of monies received by the said Fund, for the depositories therefor, and the investment thereof; to specify the powers of the said Board, and to require the maintenance of books and records; to define those eligible for benefits from the said Fund and the conditions precedent to and terms of service required for receipt of such benefits; to fix a monthly fee for each member of the said Fund and to provide for conditions of membership in the said Fund; to impose additional costs in all criminal and quasi criminal proceedings for the violation of laws of the state or municipal ordinances; to provide for the payment of such costs to the said Fund; to specify retirement, disability and death benefits for members of the said Fund and to establish the conditions precedent to the receipt of such benefits; to require that the Fund be operated on an actuarially-sound basis and that actuarial reports be regularly rendered; to provide for an adjustment of benefits in response to any such report; to provide for refunds of contributions by members; to provide for the military service and change of employment by members of the said Fund; to require semiannual reports and annual audits of the Fund; to make all rights, annuities and benefits subject to future change by the Legislature; to restrict the assignability of rights hereunder; to provide that the rights granted hereunder are cumulative to all other rights; to provide for the partial invalidity of any provision hereof, to make an appropriation for payment of the expenses of the said Board; and to provide for the effective date of this Act.

And said Bill, H.B. 288, together with the Conference Report is herewith returned to the House.

McDOWELL LEE,
Secretary.

H. 28 RESUMED

On motion of Mr. Young, the Senate was requested to recede from the request for a Committee of Conference on the bill, H. 28.

Yeas 63; Nays 5.

Yeas:

Mr. Speaker	Ellis	Jackson (T)	Neville	
Adwell	**Fine**	**Jones**	Owen (Baldwin)	
Bassett	Foshee	Kilgore	Owens (W)	
Beck	Gloor	Lemley	Pearson	
Berryman (W)	Graham	Lybrand	Pennington	
Blanton	Grainger	Lyons	Perloff	
Bolton	Grayson	Manley	Pruitt	
Brannan	Hain	Marr	Robertson	
Brassell	Hardin	Mathews	Smith	
Burgess	Harper	McCorquodale	Snell	
Collier	Harris	McLain	Stubbs	
Collins (C)	Headley	Meeks	Tuck	
Cook (Coffee)	Higginbotham	Melton	Turnham	
Culver	Holladay	Merrill	**Weeks**	
Downing	Holman	Money	Wood	
Drake	Jackson (F)	Nettles		—63

Nays:

Messrs.:	Edington	House	Malone	
Cook (Jefferson)	Garrett			—5

And the bill:

S. 522. To amend Section 2 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt from ad valorem taxation all devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Culver	Hobbie	Owen (Baldwin)	
Adwell	Dobbs	Holladay	Owens (W)	
Agee	Doss	Holman	Pearson	
Bank	Downing	Jackson (F)	Pennington	
Bassett	Drake	Jackson (T)	Perloff	
Beck	Edington	Kilgore	Pruitt	
Berryman (W)	Fine	Laxson	Sessions	
Blanton	Foshee	Lemley	Smith	
Bolton	Gafford	Lybrand	Springer	
Bowers	Garrett	Lyons	Stubbs	
Brannan	Gloor	Marr	Tuck	
Brassell	Graham	**Mathews**	Turnham	
Burgess	Grayson	McCorquodale	Watkins	
Cameron	Hain	Meade	Weeks	
Cherner	Hardin	Meeks	Williams	
Collier	Harper	Melton	Wood	
Collins (C)	Harris	Money	Wright	
Collins (W)	Headley	Nettles	Yeilding	
Cook (Coffee)	Higginbotham	Neville		—75

And the bill:

S. 845. To amend Section 606, Title 51, Code of Alabama, 1940, relating to privilege licenses.

Was read a third time at length and passed.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Downing	Holladay	Owens (W)
Adwell	Drake	Holman	Pearson
Agee	Edington	Jackson (F)	Perloff
Beck	Ellis	Jackson (T)	Pruitt
Blanton	Fine	Kilgore	Robertson
Bolton	Foshee	Lemley	Sessions
Bowers	Gafford	Lyons	Smith
Brassell	Garrett	Malone	Springer
Burgess	Gloor	Marr	Stubbs
Burgreen	Graham	Mathews	Tuck
Cameron	Grayson	McCorquodale	Turnham
Cherner	Hain	Meeks	Watkins
Collier	Hardin	Melton	Weeks
Collins (C)	Harper	Money	Williams
Collins (W)	Harris	Nettles	Wood
Cook (Coffee)	Headley	Owen (Baldwin)	Yeilding
Dobbs			

—65

And the bill:

S. 523. To amend Section 348 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, for purposes of computing the franchise tax on foreign corporations, of all amounts invested in all devices, identifiable parts of devices, systems and facilities used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Was read a third time at length and passed.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Holman	Paulk
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jackson (T)	Perloff
Bank	Drake	Kilgore	Pruitt
Bassett	Edington	Lemley	Robertson
Beck	Ellis	Lybrand	Sessions
Blanton	Fine	Lyons	Slate
Bolton	Foshee	Malone	Smith
Bowers	Gafford	Marr	Springer
Brassell	Garrett	Mathews	Stubbs
Burgess	Gloor	Mays	Tuck
Burgreen	Graham	McCorquodale	Turnham
Cameron	Grayson	Meeks	Watkins
Cherner	Hain	Melton	Weeks
Collier	Hardin	Money	Williams
Collins (C)	Harper	Nettles	Wood
Collins (W)	Harris	Owen (Baldwin)	Wright
Cook (Coffee)	Higginbotham	Owens (W)	Yeilding
Culver	Holladay		

—74

And the bill:

S. 524. To amend Section 33 of Act No. 100 enacted at the 1959 Second Special Session of the Legislature of Alabama, as heretofore amended, so as to exempt from the provisions of said Act, and from

the computation of the amount of sales tax levied, assessed or payable thereunder, the gross proceeds from the sale of all devices, identifiable parts of devices, systems or facilities used or placed in operation in the State of Alabama, or intended for use or operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the gross proceeds from the sale of all materials used in the State of Alabama, or intended for use in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Doss	Holman	Owen (Baldwin)
Adwell	Downing	House	Owens (W)
Agee	Drake	Jackson (F)	Paulk
Bassett	Edington	Jackson (T)	Pearson
Beck	Ellis	Kilgore	Perloff
Berryman (W)	Fine	Lemley	Pruitt
Blanton	Foshee	Lybrand	Robertson
Bolton	Gafford	Lyons	Sessions
Bowers	Garrett	Malone	Slate
Burgess	Gloor	Marr	Smith
Burgreen	Graham	Mathews	Springer
Cameron	Grayson	Mays	Stembridge
Cherner	Hain	McCorquodale	Tuck
Collier	Hardin	Meade	Turnham
Collins (C)	Harper	Meeks	Watkins
Collins (W)	Harris	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Crawford	Higginbotham	Money	Wood
Culver	Holladay	Nettles	Yeilding
Dobbs			—77

And the bill:

S. 525. To amend Section 25 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, from the assessed value of the shares of any Alabama corporation for the purpose of taxation of such shares, of the assessed value of all devices, identifiable parts of devices, systems and facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Was read a third time at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Burgess	Dobbs	Gloor
Adwell	Burgreen	Doss	Graham
Agee	Cameron	Downing	Grayson
Bassett	Cherner	Drake	Hain
Beck	Collins(C)	Edington	Hardin
Berryman (W)	Collins (W)	Ellis	Harper
Blanton	Cook (Coffee)	Fine	Harris
Bolton	Cook (Jefferson)	Foshee	Headley
Bowers	Crawford	Gafford	Higginbotham
Brassell	Culver	Garrett	Holladay

Holman	Marr	Owen (Baldwin)	Stembridge
House	Mathews	Owens (W)	Tuck
Jackson (F)	Mays	Pearson	Turnham
Jackson (T)	McCorquodale	Perloff	Waggoner
Kilgore	Meade	Pruitt	Watkins
Lemley	Meeks	Robertson	Weeks
Lybrand	Melton	Sessions	Williams
Lyons	Merrill	Slate	Wood
Malone	Money	Smith	Wright
Manley	Nettles	Springer	Yeilding

—80

And the bill:

S. 526. To amend Section 789 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt, from the state use tax, the storage, use or consumption of any devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the storage, use or consumption of any materials used primarily for the protection of the public and the public interest through the control, reduction or elimination of air and water pollution.

Was read a third time at length and passed.

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Dill	Holladay	Owens (W)
Adwell	Dobbs	House	Paulk
Agee	Doss	Jackson (F)	Pearson
Bassett	Downing	Jackson (T)	Perloff
Beck	Drake	Kilgore	Pruitt
Berryman (W)	Edington	Laxson	Robertson
Blanton	Ellis	Lemley	Sessions
Bolton	Fine	Lybrand	Slate
Bowers	Foshee	Lyons	Smith
Brassell	Gafford	Malone	Springer
Burgess	Garrett	Manley	Stembridge
Burgreen	Gloor	Marr	Tuck
Cameron	Graham	Mays	Turnham
Cherner	Grayson	McCorquodale	Waggoner
Collins(C)	Hain	Meeks	Watkins
Collins (W)	Hardin	Melton	Weeks
Cook (Coffee)	Harper	Merrill	Williams
Cook (Jefferson)	Harris	Money	Wood
Crawford	Headley	Nettles	Wright
Culver	Higginbotham	Owen (Baldwin)	Yeilding

—80

MOTION TO BRING UP S. 174

On motion of Mr. Jones, the rules were suspended and permission granted to bring up out of order the bill, S. 174.

Yeas 67; Nays 2.

Yeas:

Mr. Speaker	Bassett	Bolton	Cameron
Adwell	Beck	Brassell	Collier
Agee	Berryman (W)	Burgess	Collins(C)
Bank	Blanton	Burgreen	Collins (W)

Cook (Coffee)	Hardin	Lyons	Robertson
Cook (Jefferson)	Harper	Malone	Sessions
Dobbs	Harris	Marr	Slate
Doss	Headley	McCorquodale	Smith
Downing	Higginbotham	McLain	Stembridge
Edington	Holladay	Melton	Tuck
Ellis	Holman	Merrill	Turnham
Fine	House	Money	Waggoner
Foshee	Jackson (F)	Owens (W)	Weeks
Gloor	Jackson (T)	Pearson	Williams
Graham	Jones	Pennington	Wood
Grayson	Lemley	Perloff	Wright
Hain	Lybrand	Pruitt	—67

Nays: Messrs. Bowers and Garrett —2

And the bill:

S. 174. To provide for the creation and operation of a Board of the State of Alabama to be known as the Beautification Board of the State of Alabama; providing for the appointment of said Board; setting out the qualifications of members; determining the method of filling vacancies; providing for the organization of the Board and for meetings and setting out the powers and duties of the Board.

Was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Holman	Owen (Baldwin)
Agee	Doss	House	Owens (W)
Bank	Downing	Jackson (F)	Pearson
Bassett	Drake	Jackson (T)	Pennington
Beck	Edington	Jones	Perloff
Berryman (W)	Ellis	Kilgore	Pruitt
Blanton	Fine	Laxson	Robertson
Bolton	Foshee	Lemley	Sessions
Bowers	Garrett	Lybrand	Slate
Brassell	Gloor	Lyons	Smith
Burgess	Graham	Malone	Springer
Burgreen	Grayson	Marr	Starnes
Cherner	Hain	McCorquodale	Tuck
Collier	Hardin	McLain	Turnham
Collins (C)	Harper	Meeks	Waggoner
Collins (W)	Harris	Melton	Weeks
Cook (Coffee)	Headley	Merrill	Williams
Cook (Jefferson)	Higginbotham	Money	Wood
Culver	Holladay	Nettles	—75

MOTION TO BRING UP S. 895

On motion of Mr. Merrill, the rules were suspended and permission granted to bring up out of order the bill, S. 895.

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Berryman (W)	Brassell	Collins (C)
Agee	Blanton	Burgess	Collins (W)
Bank	Bolton	Cameron	Cook (Coffee)
Beck	Bowers	Collier	Cook (Jefferson)

Culver	Harper	Malone	Pruitt
Dill	Harris	Marr	Robertson
Dobbs	Headley	McCorquodale	Sessions
Doss	Higginbotham	McLain	Slate
Downing	Holladay	Meade	Smith
Drake	Holman	Melton	Springer
Edington	House	Merrill	Starnes
Ellis	Jackson (F)	Money	Tuck
Fine	Jackson (T)	Nettles	Turnham
Foshee	Jones	Owen (Baldwin)	Weeks
Garrett	Kilgore	Owens (W)	Williams
Gloor	Laxson	Paulk	Wood
Graham	Lemley	Pearson	Wright
Grayson	Lybrand	Perloff	Yeilding
Hain	Lyons		

—74

And the bill:

S. 895. To provide for the revision, codification, digesting and promulgation of the public statutes of this State; to authorize the Governor to enter into a contract for such revision, codification, digesting and promulgation of such statutes; to designate the Legislative Council as a legislative committee to read, revise, amend and correct the manuscript of the Code; and to make an appropriation to effect the purposes of this Act.

Was read a third time at length and passed.

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owen (Baldwin)
Adwell	Doss	Jackson (F)	Owens (W)
Agee	Downing	Jackson (T)	Paulk
Bank	Drake	Kilgore	Pearson
Bassett	Edington	Laxson	Perloff
Beck	Ellis	Lemley	Pruitt
Berryman (W)	Fine	Lybrand	Robertson
Blanton	Foshee	Lyons	Sessions
Bolton	Garrett	Malone	Shumate
Bowers	Gloor	Manley	Slate
Brannan	Graham	Marr	Smith
Brassell	Grayson	McCorquodale	Starnes
Burgess	Hain	McLain	Tuck
Burgreen	Hardin	Meade	Turnham
Collier	Harper	Meeks	Waggoner
Collins (C)	Harris	Melton	Williams
Collins (W)	Headley	Merrill	Wood
Cook (Coffee)	Holladay	Money	Wright
Cook (Jefferson)	Holman	Nettles	Yeilding
Dill			

—77

MOTION TO BRING UP S. 287 LOST

The motion of Mr. Mathews to suspend the rules and bring up out of order the bill, S. 287, was lost.

Yeas 41; Nays 28.

Yeas:

Mr. Speaker	Bolton	Burgreen	Downing
Agee	Brannan	Collins (W)	Drake
Beck	Brassell	Culver	Fine
Berryman (W)	Burgess	Dobbs	Grayson

Hain	Laxson	Meade	Robertson
Harper	Lemley	Melton	Smith
Headley	Marr	Owen (Baldwin)	Starnes
Holladay	Mays	Paulk	Waggoner
Holman	McCorquodale	Pearson	Williams
Jackson (F)	McLain	Perloff	Wood
Jones			

—41

Nays:

Messrs.:	Ellis	Harris	Meeks
Adwell	Foshee	Higginbotham	Money
Bassett	Gafford	Jackson (T)	Owens (W)
Blanton	Garrett	Kilgore	Pruitt
Bowers	Gloor	Lybrand	Tuck
Cherner	Graham	Lyons	Turnham
Collins(C)	Hardin	Malone	Yeilding
Dill			

—28

MOTION TO BRING UP S. 80

On motion of Mr. Neville, the rules were suspended and permission granted to bring up out of order the bill, S. 80.

Yeas 64; Nays 0.

Yeas:

Mr. Speaker	Culver	Higginbotham	Owen (Baldwin)
Adwell	Dill	Holladay	Owens (W)
Agee	Dobbs	Holman	Paulk
Bassett	Downing	House	Pearson
Berryman (W)	Ellis	Jackson (F)	Perloff
Bolton	Fine	Jackson (T)	Pruitt
Brassell	Foshee	Jones	Robertson
Burgess	Garrett	Kilgore	Sessions
Burgreen	Graham	Lemley	Smith
Cameron	Grainger	Lyons	Starnes
Cherner	Grayson	Malone	Tuck
Collier	Hain	Marr	Turnham
Collins (W)	Hardin	McLain	Williams
Cook (Coffee)	Harper	Melton	Wood
Cook (Jefferson)	Harris	Money	Yeilding
Crawford	Headley	Nettles	Young

—64

And the bill:

S. 80 (with amendment). To amend further Act No. 47, Special Session 1961, approved September 15, 1961 (Acts 1961, v. 2, p. 1904), which Act exempts certain religious, benevolent and civic institutions and organizations from taxation and licenses, so as to grant exemptions to Boys' Ranch.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Ways and Means, said Committee amendment being as follows:

In the title strike out the period at the end thereof and insert in lieu thereof the following: , the North Alabama T. B. Association, and the Eufaula Heritage Association.

Also, in Section 1, in the second paragraph thereof strike out the following:

"Section 1. All Young Men's Hebrew Associations (Y.M.H.A.) also known as Jewish Community Centers (J.C.C.), and all real and personal property of all Young Men's Hebrew Associations (Y.M.H.A.) also known as Jewish Community Centers (J.C.C.), and the Seamen's Home of Mobile, incorporated under Act No. 145, Acts of Alabama 1844-45, the Girl Scouts of America and the Boy Scouts of America, and any council, troop or other subdivision thereof now existing or hereafter created and all real and personal property of the Girl Scouts of America, and the Boy Scouts of America, and any council, troop or other subdivision thereof now existing or hereafter created, the Catholic Maritime Club of Mobile, Inc., the Knights of Pythias Lodges, the Salvation Army, Inc., and all real and personal property of the Salvation Army, Inc., Boys' Ranch, and all real and personal property of Boys' Ranch, all community chests and united appeal funds, and all charitable, civic and eleemosynary organizations and institutions for whom they solicit funds, and the real and personal property of all community chests and united appeal funds, and of all charitable, civic, and eleemosynary institutions for whom they solicit funds, and the Alabama Masonic Home, the American Cancer Society, Alabama Division, Inc., and all real property and personal property of American Cancer Society, Alabama Division, Inc., the New Hope Industries of Dothan, and all real and personal property of the New Hope Industries of Dothan,

and insert in lieu thereof the following:

"Section 1. All Young Men's Hebrew Associations (Y.M.H.A.) also known as Jewish Community Centers (J.C.C.), and all real and personal property of all Young Men's Hebrew Associations (Y.M.H.A.) also known as Jewish Community Centers (J.C.C.), the Seamen's Home of Mobile, incorporated under Act No. 145, Acts of Alabama 1844-45, the Girl Scouts of America, and the Boy Scouts of America, and any council, troop or other subdivision thereof now existing or hereafter created and all real and personal property of the Girl Scouts of America, and the Boy Scouts of America, and any council, troop or other subdivision thereof now existing or hereafter created, the Catholic Maritime Club of Mobile, Inc., the Knights of Pythias Lodges, the Salvation Army, Inc., and all real and personal property of the Salvation Army, Inc., Alabama Sheriffs Boy's Ranch, and all real and personal property of Alabama Sheriffs Boy's Ranch, all community chests and united appeal funds, and all charitable, civic and eleemosynary organizations and institutions for whom they solicit funds, and the real and personal property of all community chests and united appeal funds, and of all charitable, civic, and eleemosynary institutions for whom they solicit funds, and the Alabama Masonic Home, the American Cancer Society, Alabama Division, Inc., and all real property and personal property of American Cancer Society, Alabama Division, Inc., the New Hope Industries of Dothan and all real and personal property of the New Hope Industries of Dothan, the North Alabama T. B. Association and the Eufaula Heritage Association,

And the amendment was adopted.

Yeas 68; Nays 0.

Yeas:

Messrs.:	Brassell	Downing	Grainger
Adwell	Burgess	Edington	Grayson
Agee	Burgreen	Ellis	Hain
Bank	Cherner	Fine	Hardin
Bassett	Collier	Foshee	Harper
Berryman (W)	Crawford	Gafford	Headley
Blanton	Dill	Garrett	Higginbotham
Bolton	Dobbs	Graham	Holladay

Holman	Marr	Paulk	Starnes
Jackson (F)	Mays	Pearson	Stembridge
Jackson (T)	McLain	Perloff	Tuck
Jones	Melton	Pruitt	Turnham
Kilgore	Money	Robertson	Weeks
Laxson	Nettles	Sessions	Williams
Lemley	Neville	Shumate	Wood
Lybrand	Owen (Baldwin)	Smith	Yeilding
Lyons	Owens (W)	Snell	Young
Malone			—68

And the bill, S. 80, as thus amended, was read a third time at length and passed.

Yeas 75; Nays 0.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W)
Adwell	Downing	Jackson (F)	Pearson
Agee	Edington	Jackson (T)	Perloff
Bank	Ellis	Jones	Pruitt
Bassett	Fine	Kilgore	Robertson
Berryman (W)	Foshee	Laxson	Sessions
Blanton	Gafford	Lemley	Shumate
Bolton	Garrett	Lybrand	Smith
Bowers	Graham	Lyons	Snell
Brassell	Grainger	Malone	Starnes
Burgess	Grayson	Mathews	Tuck
Burgreen	Hain	Mays	Turnham
Cherner	Hardin	McLain	Waggoner
Collins (W)	Harper	Meeks	Weeks
Cook (Coffee)	Harris	Melton	Williams
Cook (Jefferson)	Headley	Money	Wood
Crawford	Higginbotham	Nettles	Yeilding
Culver	Holladay	Neville	Young
Dill	Holman	Owen (Baldwin)	—75

MOTION TO BRING UP S. 674

Mr. Burgess, having voted with the prevailing side by which the bill, S. 674, was carried over, moved to bring up the bill out of order. And the motion was lost.

Yeas 35; Nays 37.

Yeas:

Mr. Speaker	Dobbs	Hain	Owen (Baldwin)
Agee	Downing	Hardin	Paulk
Bassett	Edington	Harris	Pearson
Berryman (W)	Fine	Headley	Pruitt
Blanton	Foshee	Jackson (F)	Robertson
Bolton	Garrett	Jones	Starnes
Burgess	Graham	Melton	Williams
Cook (Coffee)	Grainger	Money	Young
Dill	Grayson	Nettles	—35

Nays:

Messrs.:	Cherner	Ellis	Holladay
Adwell	Collier	Gafford	Holman
Beck	Collins(C)	Gloor	Jackson (T)
Brassell	Crawford	Harper	Kilgore
Burgreen	Culver	Higginbotham	Lyons

Malone	Perloff	Springer	Weeks
Marr	Sessions	Stembridge	Wood
Meade	Shumate	Tuck	Wright
Meeks	Smith	Watkins	Yeilding
Owens (W)	Snell		—37

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 131. Relative to license plates for the U.S. Senators and Congressmen from Alabama.

McDOWELL LEE,
Secretary.

MOTION TO RECONSIDER S. 674

Having voted with the prevailing side by which the bill, S. 674, was carried over until eleven o'clock P. M., Mr. Cook (Coffee) moved to reconsider the vote by which it was carried over. And the motion was adopted.

On motion of Mr. Cook (Coffee), the House non-concurred in the report of the Committee of Conference contained in the Report of Conference Committee, and asked for a new Committee of Conference.

The Speaker named as a Committee of Conference on the part of the House Messrs. Cook (Coffee), Meade and Crawford.

MOTION TO BRING UP S. 157, S. 159, S. 160 AND S. 154

On motion of Mr. Brannan, the rules were suspended and permission granted to bring up out of order the bills, S. 157, S. 159, S. 160 and S. 154.

And the bill:

S. 157. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

Was read a third time at length and passed.

Yeas 63; Nays 0.

Yeas:

Messrs.:	Foshee	Kilgore	Owens (W)
Adwell	Gafford	Laxson	Paulk
Agee	Garrett	Lemley	Pearson
Beck	Graham	Lybrand	Pennington
Brannan	Grainger	Lyons	Perloff
Brassell	Grayson	Malone	Pruitt
Cameron	Hain	Marr	Smith
Collier	Hardin	Mays	Springer
Collins (C)	Harris	McCorquodale	Starnes
Collins (W)	Higginbotham	McDonald	Tuck
Cook (Jefferson)	Holladay	McLain	Turnham
Culver	Holman	Meade	Weeks
Dill	House	Melton	Williams
Downing	Jackson (F)	Money	Wood
Drake	Jackson (T)	Nettles	Yeilding
Fine	Jones	Owen (Baldwin)	Young

—63

And the bill:

S. 159. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Was read a third time at length and passed.

Yeas 61; Nay 1.

Yeas:

Messrs.:	Fine	Jones	Owen (Baldwin)
Adwell	Foshee	Kilgore	Owens (W)
Agee	Gafford	Laxson	Owens (W.E.)
Bassett	Garrett	Lemley	Pearson
Blanton	Graham	Lybrand	Pennington
Brannan	Grainger	Lyons	Perloff
Brassell	Grayson	Malone	Smith
Cameron	Hain	Mays	Snell
Cherner	Hardin	McCorquodale	Starnes
Collier	Harris	McDonald	Tuck
Collins (C)	Higginbotham	McLain	Turnham
Collins (W)	Holladay	Meade	Williams
Cook (Jefferson)	Holman	Melton	Wood
Culver	House	Money	Yeilding
Downing	Jackson (F)	Nettles	Young
Ellis	Jackson (T)		

—61

Nay: Mr. Shumate —1

And the bill:

S. 160. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

Was read a third time at length and passed.

Yeas 59; Nays 0.

Yeas:

Messrs.:	Ellis	Jackson (F)	Owen (Baldwin)
Adwell	Fine	Jackson (T)	Owens (W)
Agee	Foshee	Jones	Owens (W.E.)
Bassett	Gafford	Kilgore	Pearson
Blanton	Garrett	Laxson	Pennington
Brannan	Graham	Lyons	Perloff
Brassell	Grainger	Malone	Pruitt
Cameron	Grayson	Mays	Sessions
Collier	Hain	McCorquodale	Smith
Collins (C)	Hardin	McDonald	Starnes
Collins (W)	Harris	McLain	Tuck
Cook (Jefferson)	Higginbotham	Meade	Turnham
Dobbs	Holladay	Melton	Williams
Downing	Holman	Money	Wood
Edington	House	Nettles	Yeilding

—59

And the bill:

S. 154. To amend Section 156, Title 41, Code of Alabama 1940, to require the governing body of any county or any incorporated municipality to approve or disallow statement of traveling expenses of any officer or employee of such county or municipality within thirty days after presentment.

Was read a third time at length and passed.

Yeas 59; Nays 0.

Yeas:

Messrs.:	Downing	House	Owen (Baldwin)
Adwell	Edington	Jackson (F)	Owens (W)
Agee	Ellis	Jackson (T)	Owens (W.E.)
Berryman (W)	Fine	Jones	Pearson
Blanton	Foshee	Kilgore	Pennington
Brassell	Garrett	Laxson	Perloff
Burgreen	Graham	Lemley	Sessions
Cameron	Grainger	Lyons	Smith
Collier	Grayson	Malone	Starnes
Collins (C)	Hain	Mays	Tuck
Collins (W)	Hardin	McDonald	Turnham
Cook (Jefferson)	Harris	McLain	Williams
Culver	Higginbotham	Melton	Wood
Dill	Holladay	Money	Yeilding
Dobbs	Holman	Nettles	Young

—59

MOTION TO BRING UP S. 861

On motion of Mr. Turnham, the rules were suspended and permission granted to bring up out of order the bill, S. 861.

And the bill:

S. 861 (with amendment). Relating to crimes and offenses; prescribing penalty for certain offenses relative to coin-operated devices, including but not limited to parking meters.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend Section 1, Line 5 and Line 7, of Senate Bill 861, by inserting the word "wrongfully" before the word "possess."

On motion of Mr. Turnham, the amendment was tabled.

And the bill was read a third time at length and passed.

Yeas 60; Nays 7.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Nettles
Adwell	Downing	Jones	Owen (Baldwin)
Agee	Edington	Laxson	Owens (W)
Bassett	Fine	Lemley	Pearson
Berryman (W)	Foshee	Lybrand	Pennington
Blanton	Garrett	Lyons	Perloff
Brassell	Gloor	Malone	Pruitt
Burgess	Grayson	Mays	Smith
Burgreen	Hain	McCorquodale	Springer
Cameron	Hardin	McElhaney	Tuck
Collier	Harris	McLain	Turnham
Collins (C)	Higginbotham	Meade	Weeks
Collins (W)	Hobbie	Melton	Williams
Cook (Jefferson)	Holladay	Merrill	Wood
Culver	House	Money	Young

—60

Nays:

Messrs.:	Jackson (T)	Neville	Shumate
Graham	Manley	Sessions	Starnes

—7

MOTION TO BRING UP S. 48

On motion of Mr. Bolton, the rules were suspended and permission granted to bring up out of order the bill, S. 48.

And the bill:

S. 48. Making an appropriation from the state treasury for the relief of Mrs. James Charlie Hallman.

Was read a third time at length and passed.

Yeas 64; Nays 0.

Yeas:

Messrs.:	Downing	House	Money
Adwell	Edington	Jackson (F)	Owens (W)
Agee	Ellis	Jackson (T)	Owens (W.E.)
Bassett	Fine	Jones	Pearson
Berryman (W)	Foshee	Kilgore	Pennington
Blanton	Garrett	Laxson	Perloff
Brannan	Graham	Lemley	Pruitt
Brassell	Grainger	Lyons	Robertson
Burgess	Grayson	Manley	Shumate
Burgreen	Hain	Mays	Smith
Cameron	Hardin	McCorquodale	Starnes
Collier	Harper	McDonald	Tuck
Collins (C)	Harris	McLain	Turnham
Cook (Jefferson)	Higginbotham	Meeks	Weeks
Culver	Hobbie	Melton	Yeilding
Dill	Holladay	Merrill	Young
Dobbs			

—64

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 829. To provide for an advisory referendum relative to the election of the superintendent of education of Shelby County; and to provide for the appointment or election of the county superintendent of education of such county in the manner favored at such referendum.

Also:

H. 926. Relating to Lauderdale County; prescribing a fee for the issuance of pistol permits by the sheriff's office, and providing for the disposition thereof.

Also:

H. 928. To regulate the compensation, fees and commissions of the judge of probate of Lauderdale County, providing for payment into the general fund of the county of a portion of the commissions accruing to the judge of probate for remittance of money collected on the issuance and sale of motor vehicle licenses.

Also:

H. 900. To amend Act No. 252, S. 198, Special Session 1961, an Act creating the office of license commissioner in counties having populations of not less than 300,000 nor more than 500,000, in order to furnish the license commissioner an automobile and gasoline to be used only as necessary in the performance of the official duties of his office.

Also:

H. 1182. Relating to Shelby County; levying a tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Shelby County, Alabama, for any use, gasoline, and diesel fuel as defined by this Act; providing for the collection and enforcement of the tax; and prescribing and restricting the use to which the proceeds thereof may be applied.

Also:

H. 1362. Relating to Franklin County; to authorize and provide for the deduction and withholding by the judge of probate of such county of a prescribed amount of the first monies accruing from that part of the motor vehicle and trailer license taxes allocated to the county when such judge remits such taxes to the state highway department; and to prescribe the use of the amount so deducted.

Also:

H. 1253. Relating to counties having a population of not less than 21,900 nor more than 22,300, fixing the fee for issuance of a pistol permit by the sheriffs in such counties and providing for the distribution and use of such fees.

Also:

H. 1417. To establish an Inferior Court in Precincts 1 and 2 in Jefferson County, Alabama, in lieu of all Justices of the Peace in Precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer Division Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

And the bill:

S. 277 (with substitute). To amend Code of Alabama 1940, Title 22, Sections 20 and 37; further regulating the bureau of vital statistics in the state health department; designating the duties, responsibilities and compensation of the state registrar of vital statistics; providing for official certificate forms.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Health, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Code of Alabama 1940, Title 22, Sections 37 and 42; Provision of blanks by the state registrar, issue of instructions, examination of certificates, and securing of additional information to complete the records, prescribed; increasing the fees for record and statistical services and appropriating fee receipts for operation of the vital statistics system.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 22, Section 37, is amended to read as follows:

"Section 37. Official certificate forms; additional information and corrections prescribed. The state registrar shall under the supervision of the state board of health prepare and supply all printed forms used in registering, recording and preserving the vital statistics and in otherwise carrying out the purpose of this act, and no printed forms shall be used for this purpose except those supplied by the state registrar. All births (including adoptions and legitimations), marriages, divorces, deaths, and fetal deaths shall be recorded upon certificate forms designed to include the following information without restricting its use for official certifications. The birth certificate form shall provide for the name of the child, date of birth, place of birth, sex of child, names and race of the mother and legal father. The marriage certificate form shall provide for the names of the bride and groom, the race of each, any blood relationship and number of times married, place of license issue, place of marriage and signature of the officiant. The divorce certificate form shall provide for the names of the husband and wife, the race of each, usual place of residence, trial docket number, date of final decree, certificate of the court official and identification of the court. The death certificate form shall provide for the decedent's name, sex, race, age, marital status, and date and place of death, cause-of-death certificate, name of funeral director and place of burial. The fetal death certificate form shall provide for the date and place of delivery, names and race of mother and legal father, cause certificate, place and date of disposal. When the state registrar has need of additional information to make any of said certificates complete and satisfactory, all physicians, midwives, informants, morticians and all other persons having knowledge of the facts, shall supply on request of the state registrar, upon a form provided by him, or upon the original certificate form, such information as they may possess. After the said certificates are received and filed as permanent records in custody of the state registrar, any person who shall wilfully alter any such certificate, or entries thereon, or the copy of any of these records, or who shall destroy, remove or make substitutions for any such record, except through due process of the state law that authorizes such alterations and changes shall be deemed guilty of violation of sections 103 of this title. The addition of the name of the child, where a certificate of birth is reported prior to the naming of the child, does not constitute an alteration. Where it is found that an error of fact was made in the entry of personal particulars on any record filed with the state registrar, an affidavit for correction of the record shall be filed with the state registrar in such form as prescribed by the state board of health. Such instrument in writing shall be attached to and made a part of the record concerned.

The probative value of any appended correction to an original certificate shall be determined by the judicial or administrative body or official before whom the certificate is offered as evidence."

Section 2. Code of Alabama 1940, Title 22, Section 42, is amended to read as follows:

"Section 42. Certifications and searches of vital records; fees to State Board of Health. The state registrar of vital statistics shall, upon request of any person having a proper interest therein, make a thorough search and supply a certified copy or authentication, under seal of his office, of any record registered and in his custody under provisions of this Chapter. A report of a search, a copy, or extract made from any record registered under these provisions, when authenticated by the state registrar, shall be prima facie evidence of the facts therein stated. Provided that records of birth and death shall not be disclosed except as authorized by the state board of health.

The state registrar, as agent for the state board of health, shall be entitled to fees as follows:

A. The fee shall be two dollars ($2.00) for making any search of the records and reporting the findings, or for making one certified copy of the record if found. Provided, that the fee shall be one dollar ($1.00) each for additional copies of the same record ordered at the same time.

B. The fee shall be five dollars ($5.00) each for issuing an authenticated or exemplified copy, said amount to include certification fee of the Secretary of State.

C. The fee shall be three dollars ($3.00) for each hour or fraction thereof required to complete a presumptive or special search and make a report of findings. Provided, that the state registrar may, at his discretion, decline to make any such search.

D. Any expense and cost incurred for furnishing vital statistics and tabulations shall be repaid in the same manner as other fees for services specified herein.

Applications for searches, copies, authentications and reports shall be accompanied by the prescribed fee. Provided, that payments for special or presumptive searches, reports and contract services may be postponed until the amount to be paid is determined. No fee received under these provisions shall be refunded.

The state registrar, as agent for the state board of health, shall cause a complete and correct account to be kept of all monies received under these provisions and shall cause said sums to be deposited with the state treasurer who shall keep said deposits in a special account to be known as the vital statistics fund.

The county health officer of any county that employs a full-time local registrar of vital statistics, compensated by salary, may, upon request, issue a copy or extract from any original certificate of birth or death while said certificate is in his custody, and may collect a fee of one dollar ($1.00) for each such copy or extract issued; provided, that the county health officer shall cause a complete and correct account to be kept of all fees received by him under these provisions, and shall remit said fees to the treasurer of his county board of health, or like official, for custody subject to disbursement in the interest of health services in his county."

Section 3. This Act is intended to relate entirely to the operation and regulation of the Alabama vital statistics system and is not intended to have effect on any other laws or parts of laws except to the extent in conflict with the positive provisions hereof.

Section 4. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 5. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 56; Nay 1.

Yeas:

Messrs.:	Garrett	Lemley	Paulk
Adwell	Graham	Lyons	Pearson
Agee	Grainger	Malone	Pennington
Bank	Grayson	Manley	Perloff
Blanton	Hain	Mays	Pruitt
Brannan	Hardin	McCorquodale	Sessions
Collier	Harper	McDonald	Smith
Collins (C)	Harris	McLain	Starnes
Crawford	Higginbotham	Meeks	Tuck
Dill	Hobbie	Melton	Turnham
Dobbs	Holladay	Money	Williams
Downing	Jackson (T)	Nettles	Wood
Ellis	Jones	Owen (Baldwin)	Yeilding
Fine	Laxson	Owens (W.E.)	Young
Foshee			—56

Nay: Mr. Robertson —1

And the bill, S. 277, as thus amended, was read a third time at length and passed.

Yeas 58; Nays 0.

Yeas:

Messrs.:	Fine	Laxson	Owens (W.E.)
Adwell	Foshee	Lemley	Pearson
Agee	Garrett	Lyons	Pennington
Bank	Graham	Malone	Perloff
Blanton	Grainger	Manley	Pruitt
Brannan	Grayson	Mays	Sessions
Brassell	Hain	McCorquodale	Smith
Collier	Hardin	McDonald	Starnes
Collins (C)	Harper	McLain	Tuck
Collins (W)	Harris	Meeks	Turnham
Dill	Higginbotham	Melton	Williams
Dobbs	Holladay	Money	Wood
Doss	Jackson (T)	Nettles	Yeilding
Downing	Jones	Owen (Baldwin)	Young
Ellis	Kilgore	Owens (W)	—58

And the bill:

S. 479. To amend Title 22, Section 236, Code of Alabama 1940, as amended, by requiring a pharmacist to maintain separate prescription files for narcotic prescriptions.

Was read a third time at length and passed.

Yeas 56; Nays 0.

Yeas:

Messrs.:	Gafford	Laxson	Owens (W)
Adwell	Garrett	Lemley	Pearson
Agee	Graham	Lyons	Pennington
Bank	Grainger	Malone	Perloff
Berryman (W)	Grayson	Manley	Pruitt
Blanton	Hain	Mays	Robertson
Brannan	Hardin	McCorquodale	Smith
Brassell	Harper	McDonald	Starnes
Collier	Harris	McLain	Stembridge
Collins (C)	Higginbotham	Meade	Tuck
Collins (W)	Holladay	Meeks	Turnham
Dill	Holman	Melton	Wood
Downing	Jackson (T)	Money	Yeilding
Ellis	Jones	Nettles	Young
Fine			—56

And the bill:

S. 482. To amend Section 1 of Act No. 208, Acts of Alabama 1966 Special Session, page 256, approved August 26, 1966 entitled: "An Act to authorize, regulate and provide for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers and certain firemen who are killed or whose death results from an injury received in the course of his employment and while he is engaged in the performance of his duties; to designate the state board of adjustment as the state agency or awarding authority to hear, determine and order the payment of claims for compensation hereunder; to make an appropriation for payment of awards."

Was read a third time at length and passed.

Yeas 61; Nays 0.

Yeas:

Messrs.:	Doss	Laxson	Pennington
Adwell	Downing	Lemley	Perloff
Agee	Edington	Lyons	Pruitt
Bank	Ellis	Malone	Robertson
Beck	Gafford	Manley	Sessions
Berryman (W)	Garrett	Marr	Shumate
Blanton	Graham	Mays	Smith
Bolton	Grainger	McCorquodale	Starnes
Brannan	Grayson	McDonald	Tuck
Brassell	Hain	McLain	Turnham
Burgess	Hardin	Meeks	Weeks
Cherner	Harris	Melton	Williams
Collier	Holladay	Money	Wood
Collins (W)	Holman	Nettles	Yeilding
Dill	Jackson (T)	Pearson	Young
Dobbs	Jones		—61

MOTION TO BRING UP S. 569

On motion of Mr. Gloor, the rules were suspended and permission granted to bring up out of order the bill, S. 569.

And the bill:

S. 569. To provide for purchasing and furnishing state-owned textbooks for certain state institutions.

Was read a third time at length and passed.

Yeas 65; Nay 1.

Yeas:

Messrs.:	Downing	Jones	Owens (W)
Adwell	Drake	Laxson	Pearson
Agee	Ellis	Lemley	Pennington
Bassett	Foshee	Lyons	Perloff
Beck	Garrett	Malone	Robertson
Berryman (W)	Gloor	Manley	Sessions
Blanton	Graham	Marr	Shumate
Bolton	Grainger	Mays	Smith
Bowers	Grayson	McCorquodale	Starnes
Brannan	Hain	McDonald	Stembridge
Burgreen	Hardin	McLain	Turnham
Cameron	Harris	Meade	Weeks
Cherner	Holladay	Meeks	Williams
Collier	Holman	Melton	Wood
Cook (Jefferson)	House	Nettles	Yeilding
Dill	Jackson (F)	Neville	Young
Dobbs	Jackson (T)		—65

Nay: Mr. Burgess —1

And the bill:

S. 484. To amend Section 5 of Act No. 586, Acts 1957, Volume II, page 823, approved September 18, 1957, entitled, "An Act further regulating the traffic in narcotic drugs by forbidding unauthorized transportation or conveying of such drugs and providing that any vehicle, boat, aircraft or other conveyance used in the illegal carrying or transportation of narcotic drugs shall be contraband and forfeited to the State of Alabama in the manner prescribed in this Act."

Was read a third time at length and passed.

Yeas 67; Nays 0.

Yeas:

Messrs.:	Dill	House	Owens (W)
Adwell	Dobbs	Jackson (F)	Pearson
Agee	Doss	Jones	Pennington
Bassett	Downing	Laxson	Pruitt
Beck	Ellis	Lemley	Robertson
Berryman (W)	Fine	Lyons	Sessions
Blanton	Foshee	Manley	Slate
Bolton	Gafford	Mays	Smith
Bowers	Garrett	McDonald	Starnes
Brannan	Graham	McLain	Stembridge
Brassell	Grainger	Meade	Tuck
Burgess	Grayson	Meeks	Turnham
Burgreen	Hain	Melton	Weeks
Cherner	Hardin	Money	Williams
Collier	Harris	Nettles	Wood
Collins (W)	Holladay	Neville	Yeilding
Cook (Jefferson)	Holman	Owen (Baldwin)	Young
			—67

And the bill:

S. 477. To make it unlawful and constitute a misdemeanor to build, maintain or use an insanitary sewage collection, treatment and disposal facility within the State, but excluding certain plumbing within municipalities; to authorize the State Board and/or County Boards of Health to adopt rules and regulations for the administration of this Act; to

authorize the State Board of Health and/or County Boards of Health to require the installation of required type and number of facilities; to require the submission of plans and specifications applying to sewage collection, treatment and disposal to the State Board of Health and/or County Boards of Health; provides for the approval of plans and specifications and issuance of permits for construction; to repeal Title 22, Section 73 Code of Alabama 1940 and Code of Alabama Recompiled 1958; and to provide penalties for violation of this Act, and certain rules and regulations.

Was read a third time at length and passed.

Yeas 60; Nay 1.

Yeas:

Messrs.:	Doss	Jackson (T)	Neville
Adwell	Downing	Jones	Owen (Baldwin)
Agee	Ellis	Laxson	Owens (W)
Bassett	Fine	Lemley	Pearson
Beck	Foshee	Lyons	Pennington
Berryman (W)	Gloor	Manley	Perloff
Blanton	Graham	Mays	Sessions
Bowers	Grainger	McCorquodale	Smith
Brannan	Grayson	McDonald	Starnes
Brassell	Hain	McLain	Stembridge
Burgess	Hardin	Meade	Tuck
Burgreen	Harris	Meeks	Turnham
Cherner	Holladay	Melton	Weeks
Collier	Holman	Money	Wood
Collins (C)	Jackson (F)	Nettles	Young
Dill			

—60

Nay: Mr. Garrett —1

MOTION TO BRING UP S. 129

On motion of Mr. Holladay, the rules were suspended and permission granted to bring up out of order the bill, S. 129.

Yeas 80; Nays 2.

Yeas:

Messrs.:	Dobbs	Jones	Pearson
Adwell	Doss	Laxson	Pennington
Agee	Downing	Lemley	Perloff
Bank	Drake	Lyons	Pruitt
Bassett	Edington	Malone	Robertson
Beck	Foshee	Manley	Sessions
Berryman (W)	Gafford	Marr	Shumate
Bolton	Gloor	Mays	Slate
Bowers	Graham	McCorquodale	Smith
Brannan	Grainger	McDonald	Snell
Brassell	Grayson	McLain	Springer
Burgess	Hardin	Meeks	Starnes
Burgreen	Harris	Melton	Stembridge
Cameron	Headley	Merrill	Tuck
Cherner	Higginbotham	Money	Waggoner
Collins (C)	Holladay	Nettles	Weeks
Collins (W)	Holman	Neville	Williams
Cook (Jefferson)	House	Owen (Baldwin)	Wood
Crawford	Jackson (F)	Owens (W)	Yeilding
Culver	Jackson (T)	Owens (W.E.)	Young
Dill			

—80

Nays: Messrs. Garrett and Paulk —2

And the bill:

S. 129. To amend Title 7, Section 727, et seq., of the Code of Alabama of 1940 so as to provide for the redemption of real estate within one year after sale under execution or by virtue of any decree in the Circuit Court or under any deed of trust or power of sale in a mortgage.

Was read a third time at length and passed.

Yeas 69; Nays 8.

Yeas:

Messrs.:	Dobbs	Laxson	Pearson
Adwell	Doss	Lemley	Pennington
Agee	Downing	Lyons	Perloff
Bank	Drake	Malone	Pruitt
Bassett	Edington	Manley	Robertson
Beck	Ellis	Mays	Sessions
Berryman (W)	Gafford	McCorquodale	Shumate
Bowers	Gloor	McDonald	Snell
Brannan	Grainger	McLain	Springer
Brassell	Grayson	Meade	Starnes
Burgess	Harris	Melton	Stembridge
Burgreen	Headley	Merrill	Tuck
Cameron	Higginbotham	Money	Weeks
Cherner	Holladay	Nettles	Williams
Cook (Jefferson)	Holman	Owen (Baldwin)	Wood
Crawford	House	Owens (W)	Yeilding
Culver	Jackson (F)	Owens (W.E.)	Young
Dill	Jones		—69

Nays:

Mr. Speaker	Collins (C)	Garrett	Hain
Blanton	Foshee	Graham	Neville
			—8

MOTION TO BRING UP S. 651

On motion of Mr. Drake, the rules were suspended and permission granted to bring up out of order the bill, S. 651.

And the bill:

S. 651. To amend Act No. 187, H. 33, Legislature of Alabama of 1953, approved July 2, 1953, (Acts of Alabama, 1953, Vol. 1, p. 240), entitled "An Act to eradicate and prevent the spread of diseases of swine in Alabama by regulating the feeding of garbage to swine", etc.; by amending Section 4 thereof relating to annual permit fees and to require persons who feed garbage to swine to pay the cost of inspections for the purpose of determining whether the requirements of this Act are being complied with as such costs are approved by the State Board of Agriculture and Industries.

Was read a third time at length and passed.

Yeas 54; Nays 6.

Yeas:

Mr. Speaker	Beck	Burgess	Cook (Jefferson)
Adwell	Berryman (W)	Burgreen	Crawford
Agee	Blanton	Cameron	Culver
Bank	Brannan	Collier	Doss
Bassett	Brassell	Collins (W)	Downing

Fine	Holman	Meade	Pruitt
Gloor	House	Melton	Robertson
Grayson	Laxson	Merrill	Smith
Hain	Lemley	Money	Starnes
Harper	Lyons	Nettles	Tuck
Harris	Manley	Owen (Baldwin)	Weeks
Headley	Mays	Owens (W)	Williams
Higginbotham	McDonald	Perloff	Young
Hobbie	McElhaney		—54

Nays:

Messrs.:	Collins (C)	Garrett	McCorquodale
Cherner	Dill	Jackson (T)	—6

MOTION TO BRING UP S. 621

On motion of Mr. Culver, the rules were suspended and permission granted to bring up out of order the bill, S. 621.

And the bill:

S. 621. Relating to plants and plant products: To further amend Article 28 of Title 2 of the Code of Alabama of 1940 relating to insect pests and diseases injurious to plants and plant products by amending Section 451 defining words and terms used in said Article; to amend Sections 452, as amended, 453, and 455, as amended, of said Article which said Sections relate to inspection certificate requirements and fees for nurseries and dealers in nursery stock, registration requirements and fees for agents of nurserymen; requirements for official tags for nursery stock; and to prescribe certain administrative and enforcement duties and authority of the Commissioner of Agriculture and Industries.

Was read a third time at length and passed.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Paulk
Adwell	Doss	Jackson (F)	Pearson
Agee	Downing	Jackson (T)	Perloff
Bank	Ellis	Laxson	Pruitt
Bassett	Fine	Lemley	Robertson
Berryman (W)	Foshee	Lyons	Slate
Blanton	Garrett	Manley	Smith
Brannan	Gloor	Marr	Snell
Brassell	Graham	Mays	Starnes
Burgess	Grayson	McDonald	Stembridge
Burgreen	Hain	Meeks	Tuck
Cameron	Hardin	Melton	Weeks
Collier	Harper	Money	Williams
Collins (W)	Harris	Owen (Baldwin)	Wood
Crawford	Headley	Owens (W)	Young
Culver	Hobbie		—62

MOTION TO BRING UP S. 603

On motion of Mr. Waggoner, the rules were suspended and permission granted to bring up out of order the bill, S. 603.

And the bill:

S. 603. To make it unlawful to tear down, deface, or change a detour sign, warning sign, barricade or fence or to drive around a barri-

cade or fence and drive upon a section of road not officially opened until it be opened to general traffic by competent authority.

Was read a third time at length and passed.

Yeas 70; Nays 0.

Yeas:

Messrs.:	Dobbs	House	Owens (W.E.)
Adwell	Downing	Jackson (F)	Paulk
Agee	Drake	Jackson (T)	Pearson
Bank	Ellis	Laxson	Perloff
Beck	Fine	Lemley	Pruitt
Berryman (W)	Foshee	Lyons	Robertson
Blanton	Gafford	Manley	Snell
Bowers	Garrett	Marr	Starnes
Brannan	Gloor	Mays	Stembridge
Brassell	Graham	McCorquodale	Tuck
Burgreen	Grayson	McDonald	Turnham
Cameron	Hain	McElhaney	Waggoner
Cherner	Hardin	Meeks	Weeks
Collier	Harper	Melton	Williams
Collins (W)	Harris	Money	Wood
Cook (Jefferson)	Headley	Nettles	Yeilding
Crawford	Hobbie	Owen (Baldwin)	Young
Dill	Holman	Owens (W)	—70

MOTION TO BRING UP S. 138 AND S. 155

On motion of Mr. Wright, the rules were suspended and permission granted to bring up out of order the bills, S. 138 and S. 155.

And the bill:

S. 138. To authorize the governing bodies of municipal corporations of this state to elect a deputy recorder or deputy recorders; such deputy recorders, when so elected and serving, shall have and possess the identical power and authority granted by law to recorders; providing for the term of office and salary of such deputy recorders.

Was read a third time at length and passed.

Yeas 60; Nays 0.

Yeas:

Messrs.:	Dill	Jackson (T)	Owen (Baldwin)
Adwell	Downing	Laxson	Owens (W.E.)
Agee	Fine	Lemley	Paulk
Bassett	Foshee	Lybrand	Pearson
Beck	Garrett	Lyons	Perloff
Berryman (W)	Gloor	Manley	Robertson
Blanton	Graham	Marr	Smith
Bowers	Grayson	Mays	Starnes
Brannan	Hain	McCorquodale	Stembridge
Brassell	Hardin	McDonald	Tuck
Burgreen	Harper	Meade	Turnham
Cameron	Harris	Meeks	Weeks
Collier	Headley	Melton	Williams
Collins (W)	Higginbotham	Money	Wood
Crawford	Jackson (F)	Nettles	Young
Culver			—60

And the bill:

S. 155. To amend Section 13 of Title 37, Code of Alabama 1940 by requiring the Judge of Probate to file certified copies of his order of incorporation in certain places and providing for a fee for such services.

Was read a third time at length and passed.

Yeas 54; Nays 0.

Yeas:

Messrs.:	Dobbs	Higginbotham	Paulk
Adwell	Downing	Jackson (F)	Perloff
Agee	Drake	Jackson (T)	Pruitt
Bank	Fine	Lemley	Robertson
Bassett	Foshee	Lyons	Smith
Beck	Garrett	Malone	Snell
Bowers	Gloor	Manley	Starnes
Brannan	Graham	Marr	Stembridge
Brassell	Grayson	McCorquodale	Tuck
Burgreen	Hain	Meeks	Williams
Cameron	Hardin	Melton	Wood
Collier	Harper	Money	Yeilding
Collins (W)	Harris	Nettles	Young
Crawford	Headley	Owens (W)	

—54

MOTION TO BRING UP S. 502

On motion of Mr. Neville, the rules were suspended and permission granted to bring up out of order the bill, S. 502.

And the bill:

S. 502. Relating to the dispensing of minimum program school funds by the state board of education; providing for the direct payment thereof to certain independent city boards of education; relieving county boards of education in which such cities are located of certain duties and imposing such duties on city boards of education; providing for the implementation of this act.

Was read a third time at length and passed.

Yeas 60; Nays 0.

Yeas:

Messrs.:	Ellis	Malone	Pearson
Adwell	Fine	Manley	Perloff
Agee	Foshee	Marr	Pruitt
Bank	Garrett	Mays	Robertson
Bassett	Gloor	McCorquodale	Smith
Bowers	Graham	McDonald	Snell
Brannan	Grayson	Meade	Starnes
Brassell	Hain	Meeks	Stembridge
Burgreen	Hardin	Melton	Tuck
Cameron	Harris	Money	Turnham
Cherner	Headley	Nettles	Williams
Collier	Jackson (F)	Neville	Wood
Collins (W)	Jackson (T)	Owen (Baldwin)	Wright
Crawford	Lemley	Owens (W)	Yeilding
Downing	Lyons	Paulk	Young
Drake			

—60

MOTION TO BRING UP S. 620

On motion of Mr. Bassett, the rules were suspended and permission granted to bring up out of order the bill, S. 620.

And the bill:

S. 620. Relating to taxation; further defining terms used in administering state sales and use tax laws with respect to commercial fish feed.

Was read a third time at length and passed.

Yeas 50; Nays 6.

Yeas:

Mr. Speaker	Crawford	Jackson (F)	Owens (W)	
Adwell	Downing	Laxson	Owens (W.E.)	
Agee	Drake	Lemley	Paulk	
Bank	Fine	Malone	Pearson	
Bassett	Foshee	Manley	Perloff	
Beck	Garrett	Mays	Robertson	
Berryman (W)	Grayson	McCorquodale	Sessions	
Brannan	Hain	McDonald	Smith	
Brassell	Hardin	Meade	Snell	
Burgreen	Harper	Meeks	Starnes	
Cameron	Harris	Melton	Stembridge	
Collier	Headley	Owen (Baldwin)	Young	
Collins (W)	Higginbotham			—50

Nays:

Messrs.:	Collins (C)	Gafford	Wood	
Cherner	Dill	Nettles		—6

MOTION TO BRING UP S. 71 AND S. 72

On motion of Mr. Turnham, the rules were suspended and permission granted to bring up out of order the bills, S. 71 and S. 72.

And the bill:

S. 71. To amend Title 52, § 136, Code of Alabama, as amended, to provide that teachers and other employees of County Boards of Education in the State of Alabama shall be permitted to accumulate and to be paid for leaves of absence due to sickness for not more than ninety days.

Was read a third time at length and passed.

Yeas 65; Nay 1.

Yeas:

Mr. Speaker	Burgreen	Foshee	Higginbotham
Adwell	Cameron	Garrett	House
Agee	Cherner	Gloor	Jackson (F)
Bank	Collier	Graham	Jackson (T)
Bassett	Collins (W)	Grayson	Laxson
Beck	Cook (Jefferson)	Hain	Lemley
Berryman (W)	Crawford	Hardin	Lybrand
Blanton	Downing	Harper	Lyons
Brannan	Drake	Harris	Malone
Brassell	Fine	Headley	Manley

Marr	Money	Pruitt	Stembridge
Mays	Nettles	Robertson	Stubbs
McCorquodale	Owen (Baldwin)	Sessions	Tuck
McDonald	Owens (W.E.)	Smith	Turnham
Meade	Pearson	Snell	Wood
Meeks	Perloff	Starnes	Young
Melton			

—65

Nay: Mrs. Collins (C) —1

And the bill:

S. 72. To amend Title 52, § 197, Code of Alabama, as amended, to provide that teachers and other employees of City Boards of Education in the State of Alabama shall be permitted to accumulate and to be paid for leaves of absence due to sickness for not more than ninety days.

Was read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jackson (F)	Owen (Baldwin)
Adwell	Doss	Jackson (T)	Owens (W.E.)
Agee	Downing	Laxson	Pearson
Bank	Drake	Lemley	Pennington
Bassett	Ellis	Lybrand	Perloff
Beck	Fine	Lyons	Pruitt
Berryman (W)	Foshee	Malone	Robertson
Blanton	Gloor	Marr	Sessions
Brannan	Graham	Mays	Smith
Brassell	Grayson	McCorquodale	Snell
Burgess	Hain	McDonald	Starnes
Burgreen	Hardin	McElhaney	Stembridge
Cameron	Harper	Meade	Stubbs
Cherner	Harris	Meeks	Tuck
Collier	Headley	Melton	Turnham
Collins (W)	Higginbotham	Money	Wood
Cook (Jefferson)	House	Nettles	Young

—68

MOTION TO BRING UP S. 146

On motion of Mr. Williams, the rules were suspended and permission granted to bring up out of order the bill, S. 146.

And the bill:

S. 146 (with amendment). To authorize a qualification fee for all candidates in municipal elections held in this state, prescribing the manner and time of the fixing of such fees and imposing a limit in the amount thereof.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Local Government, said Committee amendment being as follows:

Amend Senate Bill 146 in Section 1 in the second sentence by striking the words "shall not exceed five hundred dollars" and inserting in lieu thereof the following "shall not exceed fifty dollars".

And the amendment was adopted.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owen (Baldwin)
Adwell	Doss	Jackson (T)	Owens (W.E.)
Agee	Downing	Laxson	Pearson
Bank	Ellis	Lemley	Perloff
Bassett	Fine	Lyons	Pruitt
Beck	Foshee	Malone	Robertson
Blanton	Gafford	Manley	Slate
Bowers	Garrett	Marr	Smith
Brannan	Graham	Mays	Snell
Brassell	Grayson	McCorquodale	Starnes
Burgess	Hain	McDonald	Stembridge
Burgreen	Hardin	Meade	Tuck
Cameron	Harper	Meeks	Turnham
Cherner	Harris	Melton	Wood
Collier	Headley	Money	Yeilding
Collins (W)	Higginbotham	Nettles	Young
Crawford			

—65

And the bill, S. 146, as thus amended, was read a third time at length and passed.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Dill	Higginbotham	Owen (Baldwin)
Adwell	Doss	Jackson (F)	Owens (W.E.)
Agee	Downing	Jackson (T)	Pearson
Bank	Drake	Laxson	Perloff
Bassett	Ellis	Lemley	Pruitt
Beck	Fine	Lyons	Robertson
Blanton	Foshee	Malone	Sessions
Bowers	Gafford	Manley	Slate
Brannan	Garrett	Marr	Smith
Brassell	Graham	Mays	Snell
Burgess	Grayson	McCorquodale	Stembridge
Burgreen	Hain	Meade	Tuck
Cameron	Hardin	Meeks	Turnham
Cherner	Harper	Melton	Wood
Collier	Harris	Money	Yeilding
Collins (W)	Headley	Nettles	Young
Crawford			

—65

MOTION TO RECESS LOST

The motion of Mr. Starnes that the House recess until 11:59 o'clock P. M. was lost.

Yeas 16; Nays 45.

Yeas:

Mr. Speaker	Fine	Lemley	McCorquodale
Brassell	Grayson	Lyons	Tuck
Cherner	Headley	Malone	Wood
Dill	Higginbotham	Manley	Young

—16

Nays:

Messrs.:	Cook (Jefferson)	House	Owens (W)	
Adwell	Crawford	Jackson (F)	Pearson	
Agee	Downing	Jackson (T)	Pruitt	
Bank	Ellis	Marr	Robertson	
Bassett	Foshee	Mays	Sessions	
Blanton	Gafford	McElhaney	Smith	
Bowers	Graham	Meeks	Snell	
Brannan	Hain	Melton	Springer	
Burgess	Hardin	Merrill	Stembridge	
Burgreen	Harper	Nettles	Turnham	
Cameron	Harris	Owen (Baldwin)	Yeilding	
Collins (W)	Holman			—45

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1428. Relating to counties having populations of not less than 41,000 nor more than 45,000; to provide for taxing and collecting of additional costs in certain courts in such counties for public law library purposes.

Also:

H. 1361. Relating to Franklin County; to provide expense allowances payable from the county treasury for the coroner of such county.

Also:

H. 1320. Relating to counties having populations of not less than 22,500 nor more than 24,550; to provide for the qualifications of the superintendent of education in any such county.

Also:

H. 1545. Relating to all counties having populations of not less than 12,500 nor more than 13,500 according to the most recent federal decennial census; providing further for certain fees allowed to judges of probate.

Also:

H. 1546. To provide for the manner and procedure for the election of members and the chairman, president or presiding judge of boards of county commissioners, boards of revenue or like governing bodies in counties having a population of not less than 115,000 nor more than 165,000 according to the last federal decennial census and providing for their term of office and the time of their election.

Also:

H. 1547. To amend Section 3 of Act 324, Acts of Legislature, Regular Session 1923, as said act was amended by Act 469, Acts of Legislature, Regular Session 1931, by redefining the boundaries of the five districts of Madison County, Alabama.

Also:

H. 1447. To amend further Section 257 of Title 13, Code of Alabama 1940, which fixes the compensation of deputy solicitors in certain counties.

McDOWELL LEE,
Secretary.

MOTION TO BRING UP S. 827 AND S. 481

On motion of Mr. Melton, the rules were suspended and permission granted to bring up out of order the bills, S. 827 and S. 481.

And the bill:

S. 827. To make an appropriation for the relief of Mrs. Hubert P. Gavin, of Camden.

Was read a third time at length and passed.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Owens (W)
Agee	Downing	Jackson (T)	Pearson
Bank	Ellis	Lemley	Perloff
Bassett	Fine	Lyons	Pruitt
Beck	Foshee	Manley	Robertson
Blanton	Gafford	Marr	Sessions
Brannan	Graham	Mays	Smith
Brassell	Grayson	McCorquodale	Snell
Burgess	Hain	McDonald	Stembridge
Cameron	Harper	Meeks	Tuck
Cherner	Harris	Melton	Turnham
Collier	Headley	Nettles	Wood
Collins (W)	Higginbotham	Neville	Yeilding
Crawford	Holman	Owen (Baldwin)	Young

—56

And the bill:

S. 481. To amend Code of Alabama 1940, Title 41, Sections 211 and 221, which relate to offenses concerning county officers.

Was read a third time at length and passed.

Yeas 53; Nays 0.

Yeas:

Mr. Speaker	Dill	Holman	Pearson
Adwell	Downing	Jackson (F)	Perloff
Agee	Ellis	Jackson (T)	Robertson
Bank	Fine	Lemley	Sessions
Bassett	Foshee	Lyons	Smith
Beck	Garrett	Marr	Snell
Blanton	Grainger	Mays	Stembridge
Brannan	Grayson	McCorquodale	Tuck
Brassell	Hain	Meeks	Turnham
Burgess	Harper	Melton	Williams
Cameron	Harris	Nettles	Wood
Cherner	Headley	Neville	Yeilding
Collins (W)	Higginbotham	Owen (Baldwin)	Young
Crawford			

—53

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO BRING UP S. 120

On motion of Mr. Springer, the rules were suspended and permission granted to bring up out of order the bill, S. 120.

And the bill:

S. 120. To Repeal Title 15, Section 137, Code of Alabama, 1940, as amended.

Was read a third time at length and passed.

Yeas 62; Nays 0.

Yeas:

Messrs.:	Dill	Hill	Pearson
Adwell	Downing	Holman	Perloff
Agee	Ellis	Jackson (F)	Robertson
Bank	Fine	Jackson (T)	Sessions
Bassett	Foshee	Lemley	Smith
Beck	Gafford	Lyons	Snell
Blanton	Garrett	Manley	Springer
Bowers	Gloor	Marr	Stembridge
Brannan	Graham	Mays	Tuck
Brassell	Grayson	Meade	Turnham
Burgess	Hain	Meeks	Weeks
Burgreen	Hardin	Melton	Williams
Cameron	Harper	Merrill	Wood
Cherner	Harris	Nettles	Yeilding
Collins (W)	Headley	Neville	Young
Crawford	Higginbotham	Owen (Baldwin)	—62

MOTION TO BRING UP S. 121 AND S. 122

On motion of Mr. Springer, the rules were suspended and permission granted to bring up out of order the bills, S. 121 and S. 122.

And the bill:

S. 121. To Repeal Title 15, Section 136, Code of Alabama, 1940, as amended.

Was read a third time at length and passed.

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Pearson
Adwell	Downing	Jackson (T)	Perloff
Agee	Ellis	Lemley	Sessions
Bank	Gafford	Lybrand	Smith
Bassett	Garrett	Lyons	Snell
Beck	Gloor	Manley	Springer
Blanton	Graham	Marr	Starnes
Bowers	Grayson	Mays	Stembridge
Brassell	Hain	McDonald	Tuck
Burgess	Hardin	Meeks	Turnham
Burgreen	Harper	Melton	Weeks
Cameron	Harris	Merrill	Wood
Cherner	Headley	Nettles	Wright
Collins (C)	Higginbotham	Neville	Yeilding
Cook (Jefferson)	Holman	Owen (Baldwin)	Young
Crawford			—61

And the bill:

S. 122. To Repeal Title 15, Section 135, Code of Alabama, 1940, as amended.

Was read a third time at length and passed.

Yeas 62; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Pearson
Adwell	Ellis	Lemley	Perloff
Agee	Fine	Lybrand	Sessions
Bassett	Gafford	Lyons	Smith
Beck	Garrett	Manley	Snell
Blanton	Gloor	Marr	Springer
Bowers	Graham	Mays	Starnes
Brannan	Grayson	McDonald	Stembridge
Brassell	Hain	Meade	Tuck
Burgess	Hardin	Meeks	Turnham
Burgreen	Harper	Melton	Weeks
Cameron	Harris	Merrill	Williams
Collins (C)	Headley	Nettles	Wood
Cook (Jefferson)	Higginbotham	Neville	Yeilding
Crawford	Holman	Owen (Baldwin)	Young
Dill	Jackson (F)		—62

MOTION TO BRING UP S. 506

On motion of Mr. Adwell, the rules were suspended and permission granted to bring up out of order the bill, S. 506.

And the bill:

S. 506. To validate moral obligations, not exceeding One Hundred and Sixty Dollars ($160.00) in amount, paid by the State Training School for Girls for motor vehicle accidents involving employees and for injuries to employees as a result of performance of their duties during the period October 1, 1966 through September 30, 1968.

Was read a third time at length and passed.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker	Crawford	Higginbotham	Pearson
Adwell	Dill	Holman	Perloff
Agee	Downing	Jackson (F)	Sessions
Bank	Ellis	Jackson (T)	Smith
Bassett	Fine	Lemley	Snell
Beck	Gafford	Manley	Starnes
Blanton	Garrett	Mays	Stembridge
Bowers	Gloor	McDonald	Tuck
Brassell	Graham	Meade	Turnham
Burgess	Grayson	Meeks	Weeks
Burgreen	Hain	Merrill	Williams
Cherner	Hardin	Nettles	Wood
Collier	Harper	Neville	Yeilding
Collins (C)	Headley	Owen (Baldwin)	Young
Cook (Jefferson)			—57

MOTION TO BRING UP S. 760, S. 761 AND S. 762

On motion of Mr. Money, the rules were suspended and permission granted to bring up out of order the bills, S. 760, S. 761 and S. 762.

And the bill:

S. 760. To create a state junior college board; to prescribe its duties, powers and authority; and to repeal conflicting laws.

Was taken up.

Mr. Ellis offered the following substitute to the bill, S. 760:

A BILL
TO BE ENTITLED
AN ACT

To create a junior college board; to repeal conflicting laws.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby created a state junior college board which shall consist of seventeen prominent and representative citizens of the state appointed by the Governor for overlapping terms. One member shall reside in each of the seventeen "attendance and transportation areas," as presently designated by the state department of education, in which a junior college is located. Of the members first appointed, four shall serve for terms of two years, four shall serve for terms of three years, four shall serve for terms of four years, and five shall serve for terms of five years. The terms of all members shall begin on January 1, next following the effective date of this Act. Vacancies created by the death or resignation of a member shall be filled by special appointments made by the Governor; such special appointees shall serve only for the duration of the unexpired term of such vacating member. This provision shall in no way be construed to prevent the subsequent appointment of any such special appointee to a full term as a member of the board. Successors to the members initially appointed shall be appointed for a term of five years.

Section 2. The board shall select one of its members to serve as chairman. The chairman shall serve a term of one year but may be reelected. The board shall meet upon call of the chairman or of the state superintendent of education. The members of the board shall receive no compensation, but shall be reimbursed for their actual traveling expenses incurred in attending meetings of the board. Payment shall be made out of any funds available to the state department of education upon certification of the chairman of the board that such payment is due.

Section 3. The board shall be responsible for the establishment of state-wide policy regarding the operation of the public junior colleges and shall determine ways and means to effect articulation and coordination of junior colleges with other institutions, subject to the approval of the state board of education. Before any new junior college is established the establishment thereof shall be approved by the board and the board shall review all capital outlay requests for state appropriations for junior colleges and it shall perform such other duties as may be delegated to it by law or by the state board of education. In performance of these responsibilities, the board shall be authorized to make studies and to employ such consultants or professional assistance as may be necessary and advisable, if funds are available therefor.

Section 4. All laws or parts of laws which conflict with this act are repealed; but nothing in this act shall be construed as repealing

any provision of the Alabama Trade School and Junior College Authority Acts as provided in Act No. 93, H. 102, Second Special Session 1963 (Acts 1963, p. 259), or of Act No. 94, H. 103, Second Special Session 1963 (Acts 1963, p. 268) providing for the authority and responsibility of the state board of education for trade schools and junior colleges.

Section 5. The provisions of this act are severable. If any part of the act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 6. This act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jackson (T)	Robertson
Adwell	Dill	Lemley	Sessions
Agee	Downing	Lyons	Smith
Beck	Edington	Malone	Snell
Blanton	Fine	Manley	Starnes
Bowers	Garrett	Mays	Stembridge
Brannan	Graham	Meade	Tuck
Brassell	Grayson	Meeks	Turnham
Burgess	Hain	Merrill	Weeks
Burgreen	Harper	Nettles	Williams
Cherner	Headley	Neville	Wood
Collier	Hill	Owen (Baldwin)	Yeilding
Collins (C)	Holman	Pearson	Young
Collins (W)	Jackson (F)		

—54

And the bill, S. 760, as thus amended, was read a third time at length and passed.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Robertson
Agee	Ellis	Jackson (T)	Sessions
Beck	Fine	Lemley	Smith
Blanton	Garrett	Manley	Snell
Bowers	Graham	Mays	Starnes
Brannan	Grainger	McDonald	Stembridge
Brassell	Grayson	Meade	Tuck
Burgess	Hain	Meeks	Turnham
Burgreen	Hardin	Merrill	Weeks
Collier	Harper	Nettles	Williams
Collins (C)	Haygood	Owen (Baldwin)	Wood
Collins (W)	Headley	Pearson	Yeilding
Crawford	Hill	Perloff	Young
Dill	Holman		

—54

And the bill:

S. 761. To grant authority to junior colleges and trade schools to borrow money in anticipation of current revenues and pledge current revenues for payment of such loans if funds are not sufficient to pay teachers' salaries for any given month.

Was read a third time at length and passed.

Yeas 57; Nays 0.

Yeas:

Mr. Speaker	Downing	Holman	Pearson
Agee	Drake	Jackson (F)	Perloff
Bassett	Fine	Jackson (T)	Robertson
Beck	Gafford	Lemley	Sessions
Blanton	Garrett	Manley	Smith
Bowers	Graham	Marr	Snell
Brannan	Grainger	Mays	Starnes
Brassell	Grayson	McDonald	Stembridge
Burgess	Hain	Meade	Tuck
Burgreen	Hardin	Meeks	Turnham
Collier	Harper	Merrill	Weeks
Collins (C)	Haygood	Nettles	Williams
Collins (W)	Headley	Neville	Wood
Crawford	Hill	Owen (Baldwin)	Young
Dill			—57

And the bill:

S. 762. To propose an amendment to the Constitution of Alabama to authorize the levying of a special school tax in each county in which a junior college is located for the support of the junior colleges within the county.

Was read a third time at length and passed.

Yeas 50; Nays 3.

Yeas:

Mr. Speaker	Downing	Holman	Pearson
Bassett	Ellis	Jackson (F)	Robertson
Beck	Fine	Jackson (T)	Sessions
Blanton	Garrett	Lemley	Smith
Bowers	Graham	Malone	Snell
Brannan	Grainger	Manley	Starnes
Brassell	Grayson	Mays	Stembridge
Burgess	Hain	Meade	Tuck
Burgreen	Hardin	Merrill	Turnham
Collier	Harper	Nettles	Weeks
Collins (C)	Haygood	Neville	Wood
Crawford	Headley	Owen (Baldwin)	Young
Dill	Hill		—50

Nays: Messrs. Gloor, Lyons and Yeilding —3

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO BRING UP S. 769

On motion of Mr. Owen (W), the rules were suspended and permission granted to bring up out of order the bill, S. 769.

And the bill:

S. 769. To amend Sections 4 and 5 of Act No. 743, H. 150, Regular Session 1957 (Acts 1957, p. 1143), as amended, entitled "An Act To provide for a refund of a portion of the state tax paid on gasoline which

is used in propelling or operating tractors used exclusively for agricultural purposes, or which is used in operating auxiliary engines attached to and made a part of certain farm machinery; prescribing the procedure for effecting such refunds; prescribing the powers, duties, and authority of the commissioner of revenue in the administration and enforcement of the Act; defining violations of the Act and prescribing penalties therefor; and repealing Act No. 323, H. 35, approved August 7, 1949 (Acts of Alabama, 1949, p. 469)."

Was read a third time at length and passed.

Yeas 56; Nay 1.

Yeas:

Mr. Speaker	Dill	Holman	Pearson
Adwell	Downing	Jackson (F)	Perloff
Bank	Edington	Lemley	Robertson
Bassett	Fine	Lyons	Sessions
Beck	Garrett	Manley	Smith
Blanton	Gloor	Marr	Snell
Bowers	Graham	Mays	Starnes
Brassell	Grayson	McDonald	Stembridge
Burgess	Hain	Meeks	Tuck
Burgreen	Hardin	Melton	Weeks
Cameron	Harper	Merrill	Williams
Collier	Harris	Nettles	Wood
Collins(C)	Headley	Neville	Yeilding
Crawford	Higginbotham	Owen (Baldwin)	Young

—56

Nay: Mr. Cherner —1

MOTION TO BRING UP S. 49

On motion of Mr. Owen (W), the rules were suspended and permission granted to bring up out of order the bill, S. 49.

Yeas 45; Nays 4.

Yeas:

Messrs.:	Fine	Holman	Perloff
Bank	Foshee	Jackson (F)	Robertson
Blanton	Garrett	Manley	Sessions
Brassell	Gloor	Marr	Smith
Burgess	Graham	Mays	Snell
Cameron	Grayson	Meeks	Starnes
Collier	Hain	Melton	Stembridge
Collins(C)	Hardin	Nettles	Tuck
Collins (W)	Harper	Neville	Weeks
Crawford	Harris	Owen (Baldwin)	Wood
Downing	Headley	Pearson	Young
Edington	Higginbotham		

—45

Nays:

Messrs.:			
Cherner	Dill	Jackson (T)	Lemley

—4

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

And the bill:

S. 49. To provide penalties for persons convicted of stealing fish from persons engaged in fish farming.

Was read a third time at length and passed.

Yeas 50; Nays 0.

Yeas:

Mr. Speaker	Edington	Jackson (F)	Pearson
Adwell	Foshee	Lemley	Perloff
Bank	Garrett	Manley	Robertson
Bassett	Gloor	Marr	Sessions
Blanton	Graham	Mays	Smith
Bowers	Grayson	McDonald	Snell
Brannan	Hain	Meeks	Starnes
Brassell	Hardin	Melton	Stembridge
Cameron	Harper	Money	Tuck
Collier	Harris	Nettles	Weeks
Crawford	Headley	Neville	Wood
Dill	Higginbotham	Owen (Baldwin)	Yeilding
Downing	Holman		—50

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MOTION TO BRING UP S. 287

On motion of Mr. House, the rules were suspended and permission granted to bring up out of order the bill, S. 287.

And the bill:

S. 287. To make a supplemental appropriation to the Commission on Physical Fitness.

Was read a third time at length and passed.

Yeas 47; Nays 7.

Yeas:

Mr. Speaker	Crawford	Holman	Neville
Bank	Downing	Lemley	Pearson
Bassett	Edington	Lyons	Perloff
Beck	Ellis	Manley	Smith
Blanton	Fine	Marr	Snell
Bowers	Garrett	Mays	Starnes
Brassell	Grayson	McDonald	Stembridge
Burgess	Hain	Meade	Tuck
Burgreen	Harper	Meeks	Williams
Cameron	Harris	Melton	Wood
Collier	Headley	Money	Young
Collins (W)	Higginbotham	Nettles	—47

Nays:

Messrs.:	Dill	Gloor	Jackson (T)
Cherner	Gafford	Graham	Yeilding
			—7

MOTION TO BRING UP S. 419 AND S. 420 LOST

The motion of Mr. Downing to suspend the rules and bring up out of order the bills, S. 419 and S. 420, was lost.

Yeas 23; Nays 35.

Yeas:

Mr. Speaker	Brown	Garrett	Nettles
Adwell	Burgess	Gloor	Owen (Baldwin)
Bank	Collins (C)	Grayson	Robertson
Beck	Culver	Lybrand	Wood
Brannan	Downing	Lyons	Yeilding
Brassell	Edington	Meeks	—23

Nays:

Messrs.:	Drake	Higginbotham	Owens (W)
Agee	Fine	Jackson (F)	Pearson
Bassett	Foshee	Lemley	Perloff
Berryman (W)	Gafford	Manley	Pruitt
Blanton	Graham	Mays	Smith
Burgreen	Hain	McCorquodale	Stembridge
Cameron	Hardin	McDonald	Stubbs
Collier	Harris	Meade	Tuck
Crawford	Headley	Melton	Young

—35

RECESS

On motion of Mr. Dill, the House recessed for thirty minutes.

HOUSE RECONVENED

After thirty minutes, the House reconvened.

The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1513. Relating to Sumter County; amending further Section 8 of Act No. 261, H. 571, Regular Session 1947 (Local Acts 1947, p. 187) in relation to the maximum compensation of the county engineer.

Also:

H. 1512. To amend Act No. 111, H. 427, Regular Session 1963, (Acts 1963, p. 491) which provides for the employment of an additional assistant by the tax collector of Sumter County for portions of the fiscal year so as to provide further for the compensation of such assistant.

Also:

H. 1472. Regulating the practice of barbering in Marengo County; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students and apprentices; Regulating barber shops, barber schools and instructors; providing for the appointment of a county board of barber commissioners, and defining the duties of said commission; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof.

Also:

H. 1473. To change the method of compensating the judge of probate, the sheriff, the tax assessor, the tax collector, the circuit clerk and register in chancery of Marengo County; fixing the salaries of such officers and providing for the clerical assistance, deputies, office space, equipment and supplies necessary for the conduct of their respective offices on a salary basis.

Also:

H. 1491. To regulate further fees of justices of the peace in all counties having populations of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census; and to provide that in lieu of justices' fees in criminal cases in such counties for the collection by justices of the peace of a fixed charge per case in all criminal cases, all of which must be remitted to the state, and for the payment by the state of compensation to justices of the peace for all their services pertaining to criminal cases tried in their respective courts on the basis of their case loads.

Also:

H. 1357. Relating to counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; providing for the payment from the county treasury of an additional supplementary salary to each of the court reporters for the circuit courts of such counties.

Also:

H. 1311. To fix the supplemental salary of the District Attorney of the Twenty-third Judicial Circuit; and to provide that said supplemental salary shall be paid out of the General Fund of Madison County.

Also:

H. 1486. To provide, in all judicial circuits composed of one county having a population of between 110,000 and 160,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in.

Also:

H. 1485. To amend further Act No. 658, H. 1030, approved November 21, 1959, as amended by Act No. 124, S. 28, Acts of Alabama 1961, p. 2047 and as further amended by Act No. 173, H. 296, approved July 30, 1965, Acts of Alabama 1965, p. 243, an act providing for a privilege license or excise tax in Madison County on the sale, distribution, storage, use or other consumption in the county of cigarettes.

Also:

H. 1484. To amend Act No. 23, H. 109, Special Session 1964 (Acts First and Second Special Session 1964, p. 44) as said act was amended by Act No. 659, H. 802, Regular Session 1967 (Acts, Organizational, Special Regular Sessions 1967, Vol. II p. 1482) an act applying only in counties having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties.

Also:

H. 1483. To amend Act No. 780, H. 1499, Regular Session 1961, an act providing for the incorporation in any county having a population of not less than 110,000 nor more than 165,000, of an authority as a public corporation for the purpose of acquiring, constructing, enlarging, and improving airports, airport buildings and facilities, and exempting said authority from certain liabilities.

Also:

H. 1482. Authorizing the Board of County Commissioners or like governing body of Madison County, Alabama to appropriate and pay county funds to volunteer nonprofit fire departments and volunteer nonprofit corporations or organizations, organized for the purpose of proving volunteer service in emergency situations arising in said Madison County, for the purchase of equipment, materials and supplies.

Also:

H. 1480. To amend further Act No. 476, H. 627, Regular Session 1955 (Acts 1955 v. 11 p. 1084) as said act was amended by Act No. 276, H. 346, Acts of Alabama, Special Session 1966, p. 419, approved September 9, 1966, an act creating the office of Deputy Circuit Solicitor in the Twenty-third Judicial Circuit; and providing for his appointment, duties and compensation.

Also:

H. 1481. To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 110,000 and 160,000 persons according to the last Federal Decennial Census.

Also:

H. 1476. To authorize the creation of a public corporation in Madison County, Alabama, which shall have the power to construct, lease, build, install, acquire, own, operate, maintain, equip, use and control marinas, ports, waterfront facilities, docks, wharves, piers, berths, quays, warehouses, industrial sites, industrial and factory buildings and the necessary or convenient approaches, easements, roads, streets and ways leading thereto or used in conjunction therewith; to prescribe the duties and powers of such public corporation, including but not limited to, the power to enter into contracts or agreements with persons, firms or corporations, public or private, with the United States of America or with any of its agents or departments as well as with the various states and the subdivisions and municipal corporations created thereby; to authorize the issuance of revenue bonds and revenue refunding bonds payable from the revenues of authorized projects, to pay the cost of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; and providing that no debt of a state, political subdivision thereof or of any municipality created thereby shall be incurred in the exercise of any of the powers granted by this act.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House bills and returns same herewith to the House:

H. 1536. To provide retirement allowances for certain elected officers and former elected officials in all counties of the state having a population of more than 500,000 according to the last or any subsequent federal census.

Also:

H. 1533. Proposing an amendment to the Constitution of Alabama relating to authorizing the City of Birmingham to alienate or lease any public park or playground or any part or portion thereof.

Also:

H. 1541. To amend Act Number 134 of the 1965 Regular Session of the Legislature of Alabama (Acts of Alabama Regular Session 1965, page 201) approved July 7, 1965, entitled "An Act to authorize the Mayor of any city of this state having a population of 300,000 persons or more according to the last or any subsequent federal census to employ for and in behalf of said city a chief administrative assistant to the mayor to serve at the pleasure of the mayor."

Also:

H. 1556. Relating to all counties having populations of not less than 17,400 nor more than 17,800, according to the most recent federal decennial census, to authorize and provide for an additional expense allowance for the chairman and members of the county governing body.

Also:

H. 1344. To amend Act No. 638, H. 1084, Regular Session 1965 (Acts 1965, p. 1159), an Act fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees.

Also:

H. 1507. To alter or rearrange the boundary lines of the Town of Springville, St. Clair County, Alabama, so as to include within the corporate limits of the said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Also:

H. 1496. Relating to St. Clair County; providing for the election of county commissioners and prescribing the district lines and excepting the judge of probate, as the presiding judge of the court of county commissioners, from the operation of the Act.

Also:

H. 1440. Relating to counties having populations of not less than 28,000 nor more than 30,575; authorizing an appropriation from the treasury of such counties for the relief of tax collectors serving when the basis of compensation of such officers changed from fee to salary.

Also:

H. 1441. Relating to counties having populations of not less than 28,000 nor more than 30,575; authorizing an appropriation from the treasury of such counties for the relief of tax assessors serving when the basis of compensation of such officers changed from fee to salary.

Also:

H. 1514. Regulating the compensation of registrars of Sumter County, and providing for payment of additional compensation by the county.

Also:

H. 1477. To authorize the governing bodies of all municipalities having populations of not less than 70,000 nor more than 120,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal waterworks utility board, created in any such municipality by ordinance pursuant to Act No. 860, S. 408, Regular Session 1953, to make certain expenditures without the prior consent and approval of the governing body of any of such municipalities.

McDOWELL LEE,
Secretary.

MOTION TO BRING UP S. 205

On motion of Mr. Holladay, the rules were suspended and permission granted to bring up out of order the bill, S. 205.

And the bill:

S. 205. Relating to crimes and offenses; defining certain crimes relative to credit cards, including offenses relative to obtaining, possessing, using, dealing in, forging, signing and providing goods and services upon presentation of a credit card; prescribing certain presumptions and proscribing certain defenses relative to the crimes hereby defined; prescribing penalties; and providing that this act is cumulative.

Was read a third time at length and passed.

Yeas 56; Nays 0.

Yeas:

Messrs.:	Crawford	Holladay	Paulk
Adwell	Dill	Lemley	Pearson
Agee	Doss	Lybrand	Perloff
Bank	Downing	Lyons	Robertson
Beck	Drake	Malone	Sessions
Bowers	Ellis	Marr	Stembridge
Brannan	Fine	McCorquodale	Tuck
Brassell	Foshee	Meade	Turnham
Burgess	Gafford	Meeks	Waggoner
Burgreen	Gloor	Melton	Williams
Cameron	Grainger	Merrill	Wood
Cherner	Hain	Nettles	Wright
Collier	Harper	Owen (Baldwin)	Yeilding
Collins (W)	Harris	Owens (W)	Young
Cook (Jefferson)			

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MOTION TO BRING UP S. 285

On motion of Mr. Hobbie, the rules were suspended and permission granted to bring up out of order the bill, S. 285.

And the bill:

S. 285. Relating to penal institutions; providing for deductions from sentences of prisoners who donate blood to the American Red Cross.

Was read a third time at length and passed.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker	Cook (Jefferson)	Holladay	Pearson
Adwell	Crawford	Lemley	Perloff
Agee	Culver	Malone	Robertson
Bank	Dill	Marr	Sessions
Beck	Downing	Mays	Snell
Bowers	Drake	McCorquodale	Tuck
Brannan	Ellis	Meade	Turnham
Brown	Fine	Meeks	Waggoner
Burgess	Foshee	Melton	Williams
Burgreen	Gafford	Merrill	Wood
Cameron	Gloor	Nettles	Wright
Cherner	Hain	Owen (Baldwin)	Yeilding
Collier	Harper	Owens (W)	Young
Collins (W)	Harris		

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MOTION TO RECESS LOST

The motion of Mr. Lybrand that the House recess until 11:59 o'clock P. M. was lost.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Clark, Radney, Jackson, Albea, Branyon, Pierce, Carr, O'Bannon, Oden, Folsom, Skidmore, Leonard, Bailes, Dominick, Stone, Hawkins, Turner, Morrow, Childs, Vacca, Adams, Nabors, Torbert, Lolley, Cooper, Gilmore, Pelham, Giles and McDermott:

S. J. R. 123. WHEREAS, the Honorable O. J. (Joe) Goodwyn, as presiding officer of the Senate of Alabama, has performed the duties of his office with unswerving dedication and distinguished ability; and

WHEREAS, the exemplary patience, perseverance, efforts and fairness of Senater Goodwyn as President of the Senate has reflected great credit not only upon Senator Goodwyn, but upon the entire Legislature. A native of Walker County, Alabama, a graduate of the University of Alabama School of Law, and a practicing attorney since his admittance to the Bar in 1949, he has served three terms as Representative from Montgomery County and one term as Senator from Montgomery. His career as a public servant has been distinguished by his integrity and honesty, his insight and efficiency, and his sound, impartial and fair judgment. His devotion to duty has been of inestimable value and benefit to not only Montgomery County but to all of the people of Alabama; now therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That we warmly commend Senator O. J. (Joe) Goodwyn for his outstanding leadership and the guidance which he has provided during the 1969 Sessions of the Legislature. His diligence in applying his ability, experience and wisdom in performing his duties as President of the Senate has contributed tremendously to the accomplishments of the Legislature, and we appreciate his untiring efforts and the valuable services which he has rendered to the Legislature and the State of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Harris, the rules were suspended and the House concurred in and adopted the S. J. R. 123 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1380. To fix and provide for the compensation or salary of the Judges of Probate in Counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Jefferson), the House concurred in and adopted the Senate amendment to the bill, H. 1380, said Senate amendment being as follows:

Amend H.B. 1380 by adding Section 3A and 3B. Section 3A shall read as follows:

Section 3A. There is hereby levied a special indexing fee of One Dollar ($1.00). This fee is in addition to all existing recording fees and charges on each document or instrument hereafter filed and indexed for record in the office of the Judge of Probate of any such county.

Section 3B. shall read as follows:

Section 3B. The Judge of Probate shall pay over to the General Fund of any such County all sums received as indexing fees. There shall be paid from such revenues the salary of such Probate Judge and revenue in excess of such salary shall be retained in the said General Fund and may be expended for any lawful county purpose.

Further amend House Bill 1380 by adding Section 4A. Section 4A shall read as follows:

Section 4A. The provisions of this Act are severable. If any part of this Act is declared invalid, unconstitutional, or improperly included therein, such declaration shall not affect the part or parts which remain.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Burgess	Dill	Graham
Adwell	Burgreen	Dobbs	Grainger
Agee	Cameron	Downing	Hardin
Bassett	Cherner	Drake	Harper
Beck	Collier	Ellis	Harris
Brannan	Collins (W)	Fine	Headley
Brassell	Cook (Jefferson)	Gafford	Holladay
Brown	Culver	Gloor	Holman

House	Mays	Owen (Baldwin)	Stembridge
Jackson (T)	McCorquodale	Pearson	**Tuck**
Jones	McLain	Perloff	Turnham
Kilgore	Meade	Pruitt	Waggoner
Lemley	Meeks	Robertson	Williams
Lybrand	Melton	Sessions	Wright
Lyons	Merrill	Shumate	Yeilding
Malone	Money	**Snell**	**Young**
Marr	Nettles	Springer	

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MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning House Bill 1013 with a suggested Executive Amendment.

Respectfully submitted,

ROBERT M. CLECKLER,
Executive Secretary.

SEPTEMBER 4, 1969

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you, the body in which this bill originated, House Bill 1013, without my approval and with a suggested executive amendment, as follows:

Amend Section 1, subsection (10), line 1, after the word "corporation" by deleting, "(including the State of Alabama and its Alcoholic Beverage Control Board in the sale of alcoholic beverages of all kinds, the University of Alabama, Auburn University and all other institutions of higher learning in the state, whether such institutions be denominational, state, county or municipal institutions, and any association or other agency or instrumentality of such institutions.)"

Further amend Section 1, subsection (5), by deleting subsection (d) thereof.

The adoption of the suggested amendments will remove my objection to the bill.

Respectfully,

ALBERT P. BREWER,
Governor.

September 4, 1969

GOVERNOR'S MESSAGE

On motion of Mr. Turnham, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 1013, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 61; Nays 0.

Yeas:

Messrs.:	Crawford	Kilgore	Pruitt
Adwell	Dill	Lemley	Robertson
Agee	Downing	Malone	Sessions
Bassett	Drake	Marr	Smith
Beck	Ellis	Mays	Snell
Bowers	Foshee	McCorquodale	Springer
Brannan	Gafford	McLain	Stembridge
Brassell	Gloor	Meade	Tuck
Brown	Grainger	Meeks	Turnham
Burgess	Hain	Melton	Waggoner
Burgreen	Hardin	Merrill	Weeks
Cameron	Harper	Nettles	Williams
Cherner	Harris	Owen (Baldwin)	Wright
Collier	Holladay	Owens (W)	Yeilding
Collins (W)	House	Pearson	Young
Cook (Jefferson)	Jackson (T)		

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Which was a majority of the whole number elected to the House.

And said bill:

H. 1013. To provide additional revenue in Lee County; levying in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such license tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violations of the Act.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 65; Nays 0.

Yeas:

Messrs.:	Downing	Jones	Pennington
Adwell	Drake	Kilgore	Perloff
Agee	Ellis	Lemley	Pruitt
Bassett	Fine	Malone	Sessions
Beck	Foshee	Marr	Smith
Blanton	Gafford	Mays	Snell
Bowers	Garrett	McCorquodale	Springer
Brannan	Gloor	McLain	Stembridge
Brassell	Grainger	Meade	Tuck
Burgess	Hain	Meeks	Turnham
Burgreen	Hardin	Melton	Waggoner
Cameron	Harper	Merrill	Williams
Cherner	Harris	Nettles	Wood
Collins (W)	Headley	Owen (Baldwin)	Wright
Cook (Jefferson)	Holladay	Owens (W)	Yeilding
Crawford	House	Pearson	Young
Dill	Jackson (F)		

—65

Which was a majority of the whole number elected to the House.

MOTION TO BRING UP S. 866

On motion of Mr. Mays, the rules were suspended and permission granted to bring up out of order the bill, S. 866.

Yeas 78; Nays 0.

Yeas:

Messrs.:	Crawford	Holladay	Nettles
Adwell	Dill	House	Owen (Baldwin)
Agee	Downing	Jackson (F)	Owens (W)
Bassett	Drake	Jackson (T)	Pearson
Beck	Edington	Jones	Perloff
Berryman (W)	Ellis	Kilgore	Pruitt
Blanton	Fine	Lemley	Robertson
Bowers	Foshee	Lybrand	Sessions
Brannan	Gafford	Lyons	Smith
Brassell	Garrett	Manley	Snell
Brown	Gloor	Marr	Springer
Burgess	Graham	Mays	Stembridge
Burgreen	Grainger	McCorquodale	Tuck
Cameron	Grayson	McElhaney	Turnham
Cherner	Hain	McLain	Williams
Collier	Hardin	Meade	Wood
Collins(C)	Harper	Meeks	Wright
Collins (W)	Harris	Melton	Yeilding
Cook (Coffee)	Headley	Merrill	Young
Cook (Jefferson)	Hobbie	Money	—78

And the bill:

S. 866. To authorize and provide for the establishment, operation and financing of a public defender office in those judicial circuits of the State of Alabama having a State Penitentiary population of not less than one thousand, seven hundred inmates; to define the powers, duties of and limitations upon such public defenders; to provide for the selection of such public defenders and their compensation and expenses of said office; to provide for the resignation and removal of such public defenders.

Was read a third time at length and passed.

Yeas 70; Nays 0.

Yeas:

Messrs.:	Downing	House	Owens (W)
Adwell	Drake	Jackson (F)	Pearson
Agee	Edington	Kilgore	Perloff
Bassett	Ellis	Lemley	Pruitt
Beck	Fine	Lybrand	Robertson
Berryman (W)	Foshee	Lyons	Sessions
Blanton	Garrett	Manley	Smith
Brannan	Gloor	Marr	Snell
Brassell	Graham	Mays	Springer
Burgess	Grainger	McCorquodale	Stembridge
Burgreen	Grayson	McElhaney	Tuck
Cameron	Hain	McLain	Turnham
Cherner	Hardin	Meade	Williams
Collins(C)	Harper	Meeks	Wood
Collins (W)	Harris	Melton	Wright
Cook (Jefferson)	Headley	Merrill	Yeilding
Crawford	Hobbie	Nettles	Young
Dill	Holladay	Owen (Baldwin)	—70

MESSAGE FROM THE GOVERNOR

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning House Bill No. 823 with a suggested Executive Amendment.

Respectfully submitted,

ROBERT M. CLECKLER,
Executive Secretary.

August 19, 1969

To the House of Representatives
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you herewith, the Body in which it originated, House Bill No. 823 without my approval.

I respectfully suggest that section 1 of said bill be deleted and substitute therefor the following:

"Section 1. That the boundary lines of the Town of Collinsville, Alabama, be, and the same are altered or rearranged so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory, which additional territory is described as follows:

Extension No. 5

Commencing at the intersection of the West right-of-way line of U. S. Highway No. 11 with the North line of the Southeast Fourth of the Northeast Fourth of Section One (1), Township Nine (9) South, Range Seven (7) East, in Dekalb County, Alabama, thence run Northwest perpendicular to U. S. Highway No. 11 along the present town limits three hundred (300) feet for a point of beginning; thence continue Northwest perpendicular to U. S. Highway No. 11 for a distance of six hundred (600) feet; thence Highway No. 11 for a distance of six hundred (600) feet; thence run Southwest and parallel to U. S. Highway No. 11, maintaining an equidistance of six hundred (600) feet from the present town limits (which are three hundred (300) feet from said Highway to the North line of the South half of the Southwest fourth of said Section 1, thence run East along said North line of said South half to a point on said line three hundred (300) feet from U. S. Highway No. 11 measured perpendicularly to said highway; thence run Northwest and parallel to U. S. Highway No. 11 maintaining an equidistance of three hundred (300) feet therefrom, being along the present town limits, to the point of beginning."

I have discussed this amendment with the sponsors of this legislation and it is at their request that this Executive Amendment is made.

Respectfully,

ALBERT P. BREWER,
Governor.

August 19, 1969

GOVERNOR'S MESSAGE

On motion of Mr. Beck, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, H. 823, said Governor's amendment being set out in the above and foregoing Message from the Governor.

Yeas 58; Nays 0.

Yeas:

Messrs.:	Crawford	Jackson (F)	Owen (Baldwin)
Adwell	Dill	Kilgore	Pearson
Agee	Downing	Lemley	Pruitt
Bassett	Ellis	Lybrand	Robertson
Beck	Fine	Lyons	Sessions
Berryman (W)	Foshee	Manley	Smith
Blanton	Garrett	Marr	Stembridge
Brannan	Gloor	Mathews	Tuck
Burgess	Graham	McCorquodale	Turnham
Burgreen	Grainger	McLain	Williams
Cameron	Hain	Meade	Wood
Collier	Hardin	Meeks	Wright
Collins (C)	Harper	Melton	Yeilding
Collins (W)	Harris	Merrill	Young
Cook (Jefferson)	House	Nettles	

—58

Which was a majority of the whole number elected to the House.

And said bill:

H. 823. Changing and extending the corporate limits of the Town of Collinsville, DeKalb County, Alabama.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 55; Nays 0.

Yeas:

Messrs.:	Crawford	House	Owen (Baldwin)
Adwell	Dill	Jackson (F)	Owens (W)
Agee	Downing	Kilgore	Pearson
Bassett	Drake	Lemley	Robertson
Beck	Ellis	Lyons	Sessions
Berryman (W)	Fine	Marr	Smith
Blanton	Foshee	Mathews	Springer
Brannan	Garrett	Mays	Stembridge
Burgess	Gloor	McElhaney	Tuck
Burgreen	Graham	McLain	Turnham
Cameron	Grainger	Meade	Williams
Collier	Hain	Meeks	Wright
Collins (W)	Hardin	Merrill	Yeilding
Cook (Jefferson)	Harris	Nettles	Young

—55

Which was a majority of the whole number elected to the House.

MOTION TO RECONSIDER S. 762

Having voted with the prevailing side, Mr. Money moved to reconsider the passage of the bill, S. 762. And the motion was adopted.

And the bill:

S. 762. To propose an amendment to the Constitution of Alabama to authorize the levying of a special school tax in each county in which a junior college is located for the support of the Junior colleges within the county.

Was again read a third time at length and passed.

Yeas 71; Nays 3.

Yeas:

Mr. Speaker	Downing	Jones	Pearson
Agee	Drake	Lemley	Pennington
Bassett	Ellis	Lybrand	Perloff
Beck	Fine	Manley	Pruitt
Berryman (W)	Foshee	Marr	Robertson
Blanton	Garrett	Mathews	Sessions
Bowers	Graham	McCorquodale	Smith
Brannan	Grainger	McDonald	Snell
Brassell	Grayson	McLain	Springer
Brown	Hain	Meade	Starnes
Burgess	Hardin	Meeks	Stembridge
Burgreen	Harper	Melton	Tuck
Collier	Harris	Merrill	Turnham
Collins(C)	Headley	Money	Waggoner
Collins (W)	Holladay	Nettles	Wright
Cook (Jefferson)	Holman	Neville	Yeilding
Crane	House	Owen (Baldwin)	Young
Dill	Jackson (F)	Owens (W)	—71

Nays: Messrs. Gloor, Kilgore and Lyons —3

MOTION TO BRING UP S. 113

On motion of Mr. Grainger, the rules were suspended and permission granted to bring up out of order the bill, S. 113.

And the bill:

S. 113. To amend Section 184, Title 39, Code of Alabama 1940, as amended, relating to Sundays and holidays so as to provide for the observance of certain legal public holidays on Mondays.

Was read a third time at length and passed.

Yeas 47; Nays 6.

Yeas:

Messrs.:	Drake	Lyons	Robertson
Agee	Ellis	Marr	Smith
Beck	Garrett	McDonald	Snell
Blanton	Graham	McLain	Starnes
Burgess	Grainger	Meeks	Stubbs
Burgreen	Grayson	Melton	Tuck
Cherner	Harper	Money	Turnham
Collier	Holladay	Nettles	Waggoner
Collins(C)	Holman	Owen (Baldwin)	Williams
Collins (W)	Laxson	Owens (W)	Wright
Crawford	Lemley	Pearson	Yeilding
Downing	Lybrand	Perloff	Young

—47

Nays:

Messrs.:	Gloor	Jackson (T)	McCorquodale
Dill	Hain	Kilgore	—6

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1555. To alter, rearrange, extend, enlarge, and define the Corporate limits of the Town of Moulton, Lawrence County, Alabama, and to provide when this Act shall become effective.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Collins (W), the House concurred in and adopted the Senate amendment to the bill, H. 1555, said Senate amendment being as follows:

Amend Section 1 (IV EASTERLY AND SOUTHERLY CORPORATE BOUNDARY EXTENSIONS) of House Bill 1555 by striking all words thereof after the words "thence run in a Northerly direction 350 ft. from and parallel to Pinhook Road to a point" and insert in lieu thereof the following: "Beginning at a point 350' South of the South Corporate boundary and 360' East of the centerline of Highway 33, thence running 360' from and parallel to the centerline of Highway 33, in a Southerly direction a distance of 4004' to a point; Thence East 540' to a point; Thence South a distance of 174' to a point; Thence West 540' to a point 360' East of the centerline of Highway 33, Thence South 360' from and parallel to the centerline of Highway 33, a distance of 1313' to a point; Thence west to a point 360' West of the centerline of Highway 33; Thence North 360' from a parallel to centerline of Highway 33, a distance of 507' to a point. Thence West 840' to a point; Thence North a distance of 980'; to a point; Thence East 250' to a point; Thence North and parallel to the centerline of Highway 33 a distance of 324' to a point; Thence East a distance of 590' to a point 360' West of the centerline of Highway 33; Thence North run 360' from and parallel to the centerline of Highway 33, a distance of 2,354' to a point; Thence West a distance of 1,020' to a point; Thence North 1,380' from and parallel to the centerline of Highway 33 a distance of 1326' to a point on the South Corporate boundary.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Berryman (W)	Burgreen	Cook (Jefferson)
Agee	Blanton	Cameron	Dill
Bassett	Brannan	Collier	Downing
Beck	Burgess	Collins (W)	Drake

Ellis	House	McLain	Sessions
Fine	Jackson (F)	Meeks	Smith
Foshee	Kilgore	Melton	Snell
Garrett	Lemley	Money	Starnes
Graham	Lybrand	Nettles	Stembridge
Grainger	Lyons	Owen (Baldwin)	Stubbs
Grayson	Manley	Owens (W)	Tuck
Hain	Marr	Paulk	Turnham
Hardin	Mathews	Pearson	Waggoner
Harper	Mays	Perloff	Williams
Harris	McCorquodale	Pruitt	Wright
Holladay	McDonald	Robertson	Young
Holman			

—65

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1432. To fix the compensation to be paid out of the county treasury to certain county officers and officials in all counties having populations of not less than 46,500 nor more than 48,000, according to the most recent federal decennial census; to repeal conflicting laws; and to provide for a referendum.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Graham, the House concurred in and adopted the Senate amendment to the bill, H. 1432, said Senate amendment being as follows:

In Section 1, strike out subsection (b) in its entirety and reletter the remaining subsections accordingly.

Also in Section 1, subsection (m) (before it was relettered, pursuant to the above amendment), strike out the figures, $1200.00, and insert in lieu thereof the following: $2400.00

Also in Section 3, as amended, strike out the last sentence thereof.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Downing	House	Owens (W)
Adwell	Drake	Jackson (F)	Pearson
Agee	Ellis	Jackson (T)	Perloff
Bassett	Fine	Lemley	Pruitt
Beck	Foshee	Lybrand	Robertson
Blanton	Gafford	Lyons	Sessions
Brannan	Garrett	Marr	Smith
Burgess	Graham	McCorquodale	Snell
Burgreen	Grainger	McDonald	Stubbs
Cameron	Grayson	Meeks	Turnham
Collier	Hain	Melton	Williams
Collins (W)	Hardin	Money	Wright
Cook (Jefferson)	Harper	Nettles	Yeilding
Dill	Harris	Owen (Baldwin)	Young

—56

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 455. To levy in Escambia County a county privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Escambia County, which tax shall be in addition to all other taxes including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purposes of this act; to provide that the revenue derived from the tax shall be used solely for the use of the public schools in Escambia County; and to prescribe additional penalties for certain violations.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Mays, the House concurred in and adopted the Senate amendment to the bill, H. 455, said Senate amendment being as follows:

In Section 2, in the last sentence in such section, strike out the words, two per cent, and insert in lieu thereof the following words: one per cent

Also, in Section 11, strike out the figures, 1969, and insert in lieu thereof the following figures: 1971.

Yeas 66; Nays 0.

Yeas:

Messrs.:	Ellis	Jackson (T)	Owens (W)
Adwell	Fine	Kilgore	Pearson
Agee	Foshee	Lemley	Pruitt
Bassett	Gafford	Lybrand	Robertson
Beck	Garrett	Lyons	Sessions
Berryman (W)	Gloor	Marr	Smith
Blanton	Graham	Mathews	Snell
Brannan	Grainger	Mays	Stembridge
Burgess	Grayson	McDonald	Stubbs
Burgreen	Hain	McElhaney	Turnham
Cameron	Hardin	McLain	Waggoner
Collier	Harper	Meade	Williams
Collins (C)	Harris	Meeks	Wood
Collins (W)	Hobbie	Melton	Wright
Dill	Holladay	Money	Yeilding
Downing	Holman	Nettles	Young
Drake	Jackson (F)	Owen (Baldwin)	—66

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

H. 1392. To establish an Inferior Court in Precincts 4, 5, 6, 7, 8, 9 and 10 and all other precincts lying within or partly within the City of Birmingham in lieu of all Justices of the Peace in said precincts, and in lieu of all Notaries Public with powers of Justices of the Peace and with concurrent Jurisdiction with all other Justices of the Peace and Inferior Courts created in lieu of Justices of the Peace in the Birmingham Division of Jefferson County, Alabama, where the amount in controversy is $100.00 or less; this court shall be a court of record and shall have concurrent jurisdiction with the Circuit Court, Tenth Judicial Circuit of Alabama, Birmingham Division, sitting in Birmingham, and with such other inferior courts in Jefferson County where the amount in controversy exceeds the sum of $100.00 and does not exceed the sum of $500.00; to define the jurisdiction and powers of said Court, the judge, clerks and other officers thereof: to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election, and the payment of his salary: to provide for the abolishment of the Court of General Sessions of Jefferson County formerly known as the Court of Common Claims: to provide for the transfer of all pending cases and records of the said court to the court created by this Act.

by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. 1392, as thus amended by the Executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H.B. 1392, as thus amended by the Executive Amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1511. To provide retirement allowances for elected officials and former elected officials in all municipalities of the State located in a county, which county has population of 600,000 or more according to the last and any subsequent federal census.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. House, the House non-concurred in the Senate amendment to the bill, H. 1511, and requested a Committee of Conference, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To provide retirement allowances for elected officials and former elected officials of all municipalities of the State having a population of 300,000 or more according to the last and any subsequent federal census.

Be It Enacted by the Legislature of Alabama:

Section 1. As used herein, the following terms have the meaning hereby ascribed by them: "City" means any city of the state having a population of 300,000 or more according to the last and any subsequent federal census.

Section 2. Subject to the limitations herein prescribed, each person who has served, or shall hereafter serve as an elected official for the time prescribed herein shall be entitled to, and shall be paid, a retirement allowance equal to fifty percent (50%) of the average compensation he received as salary during the five (5) highest paid years while he served as an elected official.

The time required to entitle a person to the aforesaid pension shall be more than twenty-three (23) years in the municipal office.

The retirement benefits provided for by this Act shall start when the person entitled thereto attains his 70th birthday and is no longer employed by or serving as a full-time elected official of a city, county, state, or federal government.

Section 3. The retirement pension provided by this Act shall be paid from the general funds of the city.

Section 4. This Act shall apply to former full-time elected officials now in retirement as well as those who now are, or hereafter become full-time elected officials.

Section 5. The provisions of this Act are severable; should any part of this Act be declared unconstitutional or void, such declaration shall not affect the remaining provisions.

Section 6. This Act shall become effective upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 58; Nay 1.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Nettles
Adwell	Drake	Kilgore	Owen (Baldwin)
Agee	Ellis	Lemley	Owens (W)
Bassett	Fine	Lybrand	Pearson
Beck	Foshee	Lyons	Pruitt
Berryman (W)	Gafford	Malone	Robertson
Blanton	Garrett	Marr	Smith
Brannan	Graham	Mathews	Snell
Burgreen	Grainger	Mays	Stubbs
Cameron	Hain	McLain	Turnham
Cherner	Hardin	Meade	Waggoner
Collier	Harper	Meeks	Williams
Collins (C)	Harris	Melton	Wright
Collins (W)	Holman	Money	Young
Cook (Jefferson)	House		

—58

Nay: Mr. Dill —1

The Speaker named as a Committee of Conference on the part of the House Messrs. House, Kilgore and Cook (Jefferson).

MOTION TO BRING UP S. 583 LOST

The motion of Mr. Turnham to suspend the rules and bring up out of order the bill, S. 583, was lost.

Yeas 39; Nays 11.

Yeas:

Mr. Speaker	Downing	Malone	Robertson	
Adwell	Fine	Mays	Smith	
Agee	Foshee	McLain	Snell	
Beck	Gloor	Melton	Springer	
Berryman (W)	Grainger	Money	Stubbs	
Burgreen	Grayson	Owen (Baldwin)	Turnham	
Cameron	Harper	Owens (W)	Wright	
Cherner	Harris	Pearson	Yeilding	
Collins(C)	Jackson (F)	Pruitt	Young	
Crawford	Lybrand			—39

Nays:

Messrs.:	Dill	Lemley	Nettles	
Collins (W)	Garrett	Lyons	Perloff	
Cook (Jefferson)	Graham	Marr	Wood	
				—11

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same hereto the House:

H. 1562. Relating to counties having populations of not less than 13,700 nor more than 14,300; to provide for the election and qualifications of members of the board of revenue, court of county commissioners, or other like governing body of any such county.

Also:

H. 1443. To fix the compensation of the Deputy Sheriffs of Pickens County, Alabama.

Also:

H. 1448. To alter, rearrange and extend the boundary lines and corporate limits of the City of Fayette in Fayette County.

Also:

H. 1442. To delegate to the Clerk of the Circuit Court of Pickens County, serving Ex Officio as Clerk of the County Court of Pickens County, certain authority in criminal cases in Pickens County, Alabama.

Also:

H. 1474. To enlarge the corporate limits of the City of Marion, Alabama.

Also:

H. 1062. Providing further for the operation of the county board of equalization of each county having a population of not less than 109,000 nor more than 115,000, according to the last or any subsequent

federal decennial census; further regulating the term of service, compensation, and expense allowance of the members of the board; making further provision in regard to the office space and office fixtures and supplies of the board, and providing for the employment of clerks and other employees by the board.

Also:

H. 1540. Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and providing for the compensation of the clerk of the circuit court in such counties.

Also:

H. 1454. To amend Act 258, approved September 7, 1964, to designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and performing Clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the preceding federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between September 7, 1964, and the date of the passage of this act.

Also:

H. 1543. To provide for meetings of boards of registrars and for files of registered voters in counties of not less than 50,000 nor more than 54,000 population according to the last or any subsequent federal decennial census.

Also:

H. 1539. To provide for the compensation of the register of the circuit court of any county having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census.

Also:

H. 1433. To provide for operation of non-profit ambulance services by the municipalities in all counties having populations of not less than 31,000 nor more than 32,000, according to the most recent federal decennial census.

Also:

H. 1451. Relating to Houston County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws.

Also:

H. 1434. Relating to counties having populations of not less than 31,000 nor more than 32,000; to alter, rearrange and extend the corporate limits of certain towns within such counties.

Also:

H. 1452. To alter, rearrange and extend the boundary lines of the Town of Stevenson, Jackson County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

Also:

H. 1498. To establish a Civil Service System for the City of Northport; to provide a policy for the administration of this act; to divide positions in the city into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans of the city; to provide for the organization of the Personnel Board of the city, to establish the qualifications of its members and the duties they will perform; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with and without competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for the rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penalties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such Board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the city; to provide for the expenses of such Board; to guarantee certain rights to the governing body of the city.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 861. Relating to crimes and offenses; prescribing penalty for certain offenses relative to coin-operated devices, including but not limited to parking meters.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1424. To create one additional circuit court judgeship for any judicial circuit composed of a single county having a population of not

less than 300,000 nor more than 500,000, according to the most recent federal decennial census; to provide for the election of a judge for such judgeship; to prescribe the jurisdiction, power, authority, duties, responsibilities, qualifications and compensation of such judge; to abolish the office of judge of the juvenile court of any county coming within the influence of this Act, but not the juvenile court of such county; to change the name of such juvenile court to the juvenile division of the circuit court of the circuit composed of the county in which such juvenile court exists; and to provide that such additional judge shall be ex officio judge of the juvenile court in addition to performing his other duties and responsibilities.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1445. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the Town of Phil Campbell in Franklin County.

Also:

H. 1528. Relating to the eleventh judicial circuit; to provide additional compensation for official court reporters of such circuit; and to repeal conflicting laws.

Also:

H. 1527. Relating to the eleventh judicial circuit; to provide further for the compensation of the judges and the district attorney of such circuit; and to repeal conflicting laws.

Also:

H. 1414. Relating to counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census; and providing for the reinstatement of the driving privileges of residents of such counties after suspension of such privileges pursuant to Section 5 of Act No. 704, H. 475, Regular Session 1951 (Acts 1951, p. 1224 at p. 1228).

Also:

H. 1133. To provide for any counties having a population of 600,000 or more according to the 1940 federal census or any succeeding decennial federal census which have adopted or subsequently adopt zoning regulations, land subdivision regulations and building codes to have exclusive jurisdiction over matters relating to such zoning, land subdivision, and building code in all areas of the county lying outside of the corporate limits of any municipality in such county, and to withdraw from such municipalities all right, power and authority relating to such land outside its corporate limits as to all matters relating to zoning, land subdivision and building codes; to define zoning regulations, land subdivision regulations and building codes.

Also:

H. 1134. To amend the title and to further amend Section 1 of Act No. 344, H. 775 of the Regular Session of 1947 (General Acts 1947, p. 217), which was an act to empower any counties having a population

of 400,000 or more according to the 1940 or any succeeding federal census to provide for, regulate, and restrict in the unincorporated portions of the county outside of the police jurisdiction of incorporated municipalities, the use and construction of buildings, structures and land for trade, industry and residence, so as to authorize such counties to zone the unincorporated portions of the county lying within the police jurisdiction of the incorporated municipalities of the county and to take away from such incorporated municipalities zoning jurisdiction in that area outside of their corporate limits but within their police jurisdictions.

Also:

H. 598. To further amend Section 19 of Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of Alabama of 1945, pages 376 et seq.) as heretofore amended.

Also:

H. 1415. To provide for and fix the salaries of members of the Commission or Board of Commissioners (including the President of such commission or board) of each city in the State of Alabama having a population of not less than 32,500 nor more than 33,500 inhabitants according to the last federal census, or which shall hereafter have such population according to any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries; to provide further, that in such municipalities which own and operate light and power systems, and municipal water systems, one or either of them, that the President of such commission shall be and act and be constituted as the supervisor thereof and shall be responsible for the planning, supervising and financing thereof; to fix his duties and to provide and fix the salaries, to fix the time and regulate the mode of payment thereof, to be paid the President of such Commission for his services as such supervisor out of the funds of such municipal light and power system, and municipal water system, one or either of them; to provide that this Act shall become effective on the first day of October, 1970.

Also:

H. 1532. To further amend Section 5 of Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945, (General Acts of Alabama of 1945, page 376, et seq.) entitled "An Act to create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future federal census, a county-wide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a citizens supervisory commission and to create a personnel board and other agencies for the supervision and administration of said system in each of such counties; to regulate and define the manner, form and extent of the coutrol, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and county boards of health and registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the county affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of Rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof."

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 1567. To authorize the governing bodies of Tuscaloosa County, the City of Tuscaloosa and the City of Northport to create the Tuscaloosa County Park and Recreation Authority, to appropriate funds to such authority, and to abolish existing park and recreation boards upon the establishment of such authority.

Also:

H. 1450. To alter and rearrange the boundary lines of the City of Scottsboro, Jackson County, Alabama, by excluding from the present corporate limits certain described territory.

Also:

H. 1449. Relating to counties having a population of not less than 36,600, nor more than 37,600 according to the last federal decennial census, and providing for the taxing of additional court cost in misdemeanors.

Also:

H. 1502. Relating to counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census, and having county courts composed of two divisions with a judge for each division: prescribing the civil jurisdiction of such courts; and placing certain limitations on the judges thereof.

Also:

H. 1526. To fix the compensation of deputy district attorneys of counties having populations of not less than 12,500 nor more than 13,500 and providing for payment thereof from the county treasury.

Also:

H. 1495. Relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for the payment by the county of expense allowances for the clerk and each member of the jury commission in such counties.

Also:

H. 1494. Relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Also:

H. 1493. Relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for the payment by the county of expense allowances for the members of the board of registrars in such counties.

Also:

H. 877. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Pelham in Shelby County so as to annex certain territory to the Town of Pelham, Alabama.

Also:

H. 1478. To authorize the governing bodies of all municipalities having populations of not less than 70,000 nor more than 120,000, according to the most recent federal decennial census, by ordinance, to authorize any muicipal electric utility board, created in any such municipality by ordinance, pursuant to Code of Alabama 1940, Title 18, Chapter 4, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

Also:

H. 1479. To authorize the governing bodies of all municipalities having populations of not less than 70,000 nor more than 120,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal gas utility board, created in any such municipality by ordinance pursuant to Act No. 861, S. 409, Regular Session 1953, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

Also:

H. 1174. To amend Act 544, S. 602, P. 1294, Acts of Alabama of 1967, to provide funds from the General Fund in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a county health department, including the acquisition of land, the erection, construction, extension, renewal, and repair of any buildings and improvements thereon and the maintenance and operation of such department; to anticipate such funds by temporary loan certificates, and to repeal all laws or parts of laws in conflict herewith.

Also:

H. 1175. To amend Act 751, S. 599, P. 1606, Acts of Alabama of 1967, as to provide funds from the general funds of the several incorporated municipalities in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census for a county health department, including the acquisition of land, the erection, construction, extension, renewal and repair of any buildings and improvements thereon and the maintenance and operation of such department; to anticipate such funds by temporary loan certificates and to repeal all laws or parts of laws in conflict herewith.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 288. To create a retirement system for peace officers as defined herein; to create the Board of Commissioners of the Alabama Peace Officers' Annuity and Benefit Fund and to establish the said Fund; to provide for the method of selection of the members of the said Board and their successors, and to fix their comprensation; to provide for the organization and operation of the said Board and the employment of an executive director; to fix the maximum salary of such executive director, and to define his powers; to provide for the disposition of monies received by the said Fund, for the depositories there-

for, and the investment thereof; to specify the powers of the said Board, and to require the maintenance of books and records; to define those eligible for benefits from the said Fund and the conditions precedent to and terms of service required for receipt of such benefits; to fix a monthly fee for each member of the said Fund and to provide for conditions of membership in the said Fund; to impose additional costs in all criminal and quasi criminal proceedings for the violation of laws of the state or municipal ordinances; to provide for the payment of such costs to the said Fund; to specify retirement, disability and death benefits for members of the said Fund and to establish the conditions precedent to the receipt of such benefits; to require that the Fund be operated on an actuarially-sound basis and that actuarial reports be regularly rendered; to provide for an adjustment of benefits in response to any such report; to provide for refunds of contributions by members; to provide for the military service and change of employment by members of the said Fund; to require semiannual reports and annual audits of the Fund; to make all rights, annuities and benefits subject to future change by the legislature; to restrict the assignability of rights hereunder; to provide that the rights granted hereunder are cumulative to all other rights; to provide for the partial invalidity of any provision hereof, to make an appropriation for payment of the expenses of the said Board; and to provide for the effective date of this Act.

Also:

H. 2. To amend Section 1 of Act No. 1, H. 46, approved May 22, 1945, General Acts of Alabama 1945, page 1; to further amend Section 4 of Act No. 1, H. 46, approved May 22, 1945, as amended by Act No. 671, S. 407, approved September 19, 1949, General Acts of Alabama 1949, page 1033, pertaining to regulation, control, and supervision of oil and gas in the state of Alabama.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolutions, to-wit:

H. 109. To express the public policy of the State of Alabama relative to the payment of prevailing minimum wages in the particular area on all projects of the State or its agencies, to require that the prevailing wages be ascertained in advance of such projects and that all bidders therein be bound by these determinations and all contractors be required to comply therewith; to define what is included in the term "wages" and to set forth the method of making the said determinations; and to authorize local governing bodies to make similar requirements in their contracts for public works.

Also:

H. 106. To permit persons, firms, corporations not organized for profit, the state board of education and the trustees of all state institutions where education is a part of the program of the institution, partnerships and associations when borrowing money in amounts of not less than $100,000 to pay such rates of interest not to exceed the rate of fifteen percent per annum on the loan or forbearance of money as such borrower may agree to pay without regard to any provision of law limiting interest rates, and denying to such borrower and to others who may become liable thereon the right to claim or raise the defense of usury.

Also:

H. 829. To provide for an advisory referendum relative to the election of the superintendent of education of Shelby County; and to provide for the appointment or election of the county superintendent of education of such county in the manner favored at such referendum.

Also:

H. 926. Relating to Lauderdale County; prescribing a fee for the issuance of pistol permits by the sheriff's office, and providing for the disposition thereof.

Also:

H. 928. To regulate the compensation, fees and commissions of the judge of probate of Lauderdale County, providing for payment into the general fund of the county of a portion of the commissions accruing to the judge of probate for remittance of money collected on the issuance and sale of motor vehicle licenses.

Also:

H. 900. To amend Act No. 252, S. 198, Special Session 1961, an Act creating the office of license commissioner in counties having populations of not less than 300,000 nor more than 500,000, in order to furnish the license commissioner an automobile and gasoline to be used only as necessary in the performance of the official duties of his office.

Also:

H. 1182. Relating to Shelby County; levying a tax of one cent per gallon upon the selling, distributing, storing, or withdrawing from storage in Shelby County, Alabama, for any use, gasoline, and diesel fuel as defined by this Act; providing for the collection and enforcement of the tax; and prescribing and restricting the use to which the proceeds thereof may be applied.

Also:

H. 1362. Relating to Franklin County; to authorize and provide for the deduction and withholding by the judge of probate of such county of a prescribed amount of the first monies accruing from that part of the motor vehicle and trailer license taxes allocated to the county when such judge remits such taxes to the state highway department; and to prescribe the use of the amount so deducted.

Also:

H. 1253. Relating to counties having a population of not less than 21,900 nor more than 22,300, fixing the fee for issuance of a pistol permit by the sheriffs in such counties and providing for the distribution and use of such fees.

Also:

H. 1417. To establish an Inferior Court in Precincts 1 and 2 in Jefferson County, Alabama, in lieu of all Justices of the Peace in Precincts and in lieu of all other Inferior Courts created in lieu of Justices of the Peace heretofore created in said territory, said Court to be called the Bessemer Division Court. To define the jurisdiction and powers of said Court and the officers thereof; to provide for the election or appointment of the Judge, Clerk, and other officers of said Court; to fix the terms or tenure of office of the officers of said Court and provide for their salaries and compensation and the method of payment of same; to provide the procedure in said Court and to fix the methods of service of all processes therefrom, to designate the officials to serve processes issued by said Court and provide compensation therefor; to designate the officers of said Court, and define their duties and the duties of other officials with respect to said Court; and to otherwise provide for said Court.

Also:

H. J. R. 179. Designating the headquarters building of the Alabama Highway Department "The Herman L. Nelson Highway Building".

Also:

H. J. R. 181. Commending Mr. C. E. (Butch) Avinger, Superintendent of Banks, and Mr. John Miller, Executive Director of the Commission on Aging.

Also:

H. J. R. 182. Directing the Highway Department to erect proper signs for speed on highways of the Interstate System.

Also:

H. J. R. 131. Requesting the Commissioner of Revenue to honor Alabama United States Senators and Representatives in Congress by furnishing them with specially designed license plates.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO ADJOURN SINE DIE LOST

The motion of Mr. Tuck that the House adjourn sine die was lost.

Yeas 17; Nays 54.

Yeas:

Mr. Speaker	Garrett	Lyons	Owens (W)
Brannan	Hain	Malone	Snell
Burgreen	Hardin	Manley	Tuck
Collier	Jackson (T)	Money	Wood
Drake			—17

Nays:

Messrs.:	Dill	Jones	Pearson
Adwell	Downing	Kilgore	Pennington
Agee	Ellis	Laxson	Perloff
Bassett	Fine	Lemley	Robertson
Berryman (W)	Foshee	Marr	Sessions
Blanton	Gloor	Mays	Smith
Bowers	Graham	McCorquodale	Stembridge
Brown	Grainger	McLain	Stubbs
Burgess	Grayson	Meade	Turnham
Collins (C)	Harper	Meeks	Waggoner
Collins (W)	Harris	Melton	Wright
Cook (Jefferson)	Holman	Nettles	Yeilding
Crawford	House	Owen (Baldwin)	Young
Culver	Jackson (F)	Paulk	—54

BILLS ON THIRD READING RESUMED

And the bill:

S. 873. To fix the compensation of the judge of probate and the sheriff in all counties having populations of not less than sixteen thousand one hundred and fifty (16,150) and not more than seventeen thousand three hundred and fifty (17,350) according to the last or any subsequent Federal decennial census and to provide an effective date to begin at the next term of office.

Was read a third time at length and passed.

Yeas 54; Nays 0.

Yeas:

Mr. Speaker	Downing	Laxson	Pennington
Adwell	Drake	Lyons	Perloff
Bassett	Ellis	Manley	Pruitt
Beck	Fine	Marr	Robertson
Berryman (W)	Foshee	Mays	Smith
Brannan	Graham	Meade	Stembridge
Burgess	Grayson	Meeks	Stubbs
Burgreen	Hain	Melton	Tuck
Cameron	Hardin	Money	Turnham
Cherner	Harper	Nettles	Williams
Collins (W)	Harris	Neville	Wright
Cook (Jefferson)	Jackson (F)	Owen (Baldwin)	Yeilding
Crawford	Jackson (T)	Paulk	Young
Dill	Kilgore		—54

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1138. To authorize counties with a population of 400,000 or more according to the last or any succeeding federal census to levy the license taxes on the privilege of issuing or using trading stamps in such counties not in excess of those which Act No. 110 (H. 182), approved February 14, 1956 (Acts of Ala., 1956 Special Sessions, p. 166) levies for such counties on such privilege, to provide when such Act shall become effective, to repeal said Act No. 110 (H. 182) and provide when such repeal shall become effective.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Jefferson), the House concurred in and adopted the Senate amendment to the bill, H. 1138, said Senate amendment being as follows:

Amend paragraph 1 of Section 4 of House Bill 1138 by adding to the end of said Section 4 the following words and figures:

"Provided however that said license shall not in any event be less than two hundred fifty dollars ($250.00)."

Yeas 59; Nays 0.

Yeas:

Mr. Speaker	Dill	Kilgore	Perloff	
Adwell	Downing	Laxson	Robertson	
Agee	Drake	Lemley	Sessions	
Beck	Ellis	Lyons	Smith	
Berryman (W)	Fine	Manley	Starnes	
Bowers	Foshee	Mays	Stembridge	
Brannan	Garrett	McDonald	Stubbs	
Brassell	Graham	Meade	Tuck	
Burgess	Grayson	Meeks	Turnham	
Cameron	Hain	Melton	Williams	
Cherner	Harper	Nettles	Wood	
Collier	Harris	Neville	Wright	
Collins (W)	Holman	Owen (Baldwin)	Yeilding	
Cook (Jefferson)	House	Paulk	Young	
Crawford	Jackson (F)	Pennington		—59

MOTION TO BRING UP S. 39 LOST

The motion of Mr. Young to suspend the rules and bring up out of order the bill, S. 39, was lost.

Yeas 38; Nays 22.

Yeas:

Messrs.:	Downing	Manley	Pruitt	
Agee	Ellis	Mathews	Smith	
Bassett	Gloor	Mays	Starnes	
Beck	Grayson	Merrill	Stembridge	
Berryman (W)	Hardin	Money	Stubbs	
Blanton	Headley	Nettles	Tuck	
Brannan	Higginbotham	Neville	Turnham	
Brassell	Hill	Owen (Baldwin)	Wright	
Brown	Lemley	Owens (W)	Young	
Collier	Malone	Pearson		—38

Nays:

Messrs.:	Culver	House	Melton	
Adwell	Dill	Jackson (F)	Perloff	
Cameron	Foshee	Kilgore	Waggoner	
Cherner	Garrett	Lyons	Wood	
Collins (W)	Harris	McDonald	Yeilding	
Cook (Jefferson)	Holman	Meeks		—22

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 139. Establishing a select interim hurricane planning committee to survey the recent damage on the Gulf Coast and to cooperate with other agencies.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 145. Creating a joint interim committee on the feasibility of a Public Defender program in Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Downing, the House concurred in and adopted the Senate amendment to the resolution, H. J. R. 145, said Senate amendment being as follows:

Amend the last paragraph to state as follows:

"The committee shall consist of four members from the House of Representatives which shall be appointed by the Speaker of the House, and four members from the Senate which shall be appointed by the President of the Senate. The chairman of said committee shall be appointed by the Speaker of the House of Representatives. The chairman of the committee shall set the schedule and program for committee work; appoint a committee clerk if necessary; shall fix the days and hours of meetings and conducting hearings and the examination of witnesses who shall from time to time appear before the committee and said chairman may appoint subcommittees and invest them with such authority as may be necessary to conduct the sub-committees business and expedite the work assigned. There is hereby appropriated the sum of Ten Thousand Dollars ($10,000.00) for carrying out the provisions of this resolution, payable from funds appropriated to the Legislature."

Yeas 62; Nays 5.

Yeas:

Mr. Speaker	Ellis	Lemley	Paulk
Adwell	Fine	Malone	Pearson
Agee	Foshee	Manley	Pruitt
Bassett	Garrett	Mays	Robertson
Beck	Graham	McDonald	Sessions
Berryman (W)	Hain	McElhaney	Starnes
Blanton	Hardin	Meade	Stembridge
Brannan	Headley	Meeks	Stubbs
Brassell	Higginbotham	Melton	Tuck
Burgess	Hill	Merrill	Turnham
Burgreen	Hobbie	Money	Waggoner
Cook (Jefferson)	Holman	Nettles	Williams
Culver	House	Neville	Wright
Dill	Jackson (F)	Owen (Baldwin)	Yeilding
Downing	Jackson (T)	Owens (W)	Young
Drake	Kilgore		—62

Nays:

Messrs.:	Collins (W)	Springer	Weeks
Brown	Perloff		—5

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1461. To further amend Section 9, Section 12, and Section 14 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951 Page 1579, et seq) entitled: "An Act to create or provide in or for each and every City of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding Federal Census a Pension and Relief or Retirement and Relief System for officers and employees of such City and their widows and children: to make the provisions of such System retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any County in which any such City may be located as officers and employees of such City for the purpose of retrospective and prospective application of the terms or provisions of such System."

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Jefferson), the House concurred in and adopted the Senate amendment to the bill, H. 1461, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To further amend Section 9, Section 12, and Section 14 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951 page 1579, et seq) entitled: "An Act to create or provide in or for each and every City of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any succeeding federal census a Pension and Relief or Retirement and Relief System for officers and employees of such City and their widows and children: to make the provisions of such System retrospective as well as prospective; and, subordinately, to define officers and employees of the Board of Health of any County in which any such City may be located as officers and employees of such City for the purpose of retrospective and prospective application of the terms or provisions of such System."

Be It Enacted by the Legislature of Alabama:

Section 1. Section 9 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq.), as heretofore amended, be and said section is hereby further amended so as to read as follows:

"Section 9. Retirement and Relief Fund. At the end of each payroll period within the first twelve months after date of establishment, the City shall deduct from the salary of each employee member for such payroll period an amount equal to three per centum (3%) of his salary for such payroll period, and at the end of each payroll period after said twelve calendar months the City shall deduct from the salary of each employee member an amount equal to six per centum (6%) of his salary for such payroll period, provided, however, that for the

purpose of such deductions, no employee shall be deemed to earn, or to have earned, salary at a rate in excess of four hundred dollars ($400.00) per month. The proviso of the next preceding sentence, hereinafter referred to as the "four hundred dollar proviso", shall not have any past or future application to any employee member who shall, or shall have, become subject to the five hundred dollar limitation under or in accordance with the provisions of subdivision (a) or subdivision (b) of this section or to any employee member who shall or shall have become subject to the provisions of subdivisions (c) (d), or (e) of this section. (a) For the purpose of deductions from salary an employee members who shall be or shall have been, an employee member at September 1, 1957, and who shall not elect, or shall not have elected, in the manner and within the time hereinafter provided, to remain subject to said four hundred dollar ($400) proviso, shall be deemed to earn or to have earned, at all past and future times, salary at his actual rate of salary, but in no event at a rate in excess of five hundred dollars ($500) per month except as hereinafter in this section provided. The aggregate of monthly deficiencies of deductions from salary of any such employee member during the period from September 1, 1937, to September 1, 1957, resulting from the operation of the next preceding sentence, together with interest on each such monthly deficiency from the time such deficiency is deemed to have occurred to September 1, 1957, at the rate of three and three-tenths per centum (3.3%) per annum, shall constitute a liability of such employee member to the fund as of September 1, 1957. The amount of said deficiency and interest liability shall be the sum of the following: Three per centum (3%) of the excess of salary of such employee member over four hundred dollars ($400) and not over five hundred dollars ($500) for each of the twelve (12) months between September 1, 1937, and September 1, 1938, being the deficiency of deduction for each of such twleve months, plus six per centum (6%) of the excess of salary of such employee member over four hundred dollars ($400) and not over five hundred dollars ($500) for each month between September 1, 1938, and September 1, 1957, being the deficiency of deduction for each month between September 1, 1938, and September 1, 1957, plus interest on each of the aforesaid deficiencies from the end of the month for which computed to September 1, 1957, at the rate of three and three-tenths per centum (3.3%) per annum. Said deficiency and interest liability shall bear interest from September 1, 1957, at the rate of six per centum (6%) per annum. At the end of each payroll period ending after September 1, 1957, the City, in addition to deductions from salary hereinabove provided for, shall deduct from the salary of such employee member for each such payroll period ending after September 1, 1957, an amount equal to five per centum (5%) of such deficiency and interest liability, together with interest thereon at the rate of six per centum (6%) per annum from September 1, 1957, until such deficiency and interest liability, together with interest thereon, has been fully paid and discharged. Any employee member subject to or burdened with such deficiency and interest liability or balance thereof may pay and discharge the same by direct payment into the fund of the amount thereof, to be matched by his employer as though such payment were a deduction from his salary, but if such deficiency and interest liability, with any interest thereon, be not paid or discharged in one or more of the manners hereinabove provided, it shall be paid or discharged as provided in Section 19. Any employee member who shall be or shall have been, an employee member at September 1, 1957, may file with the City Comptroller at any time within fifteen days after September 1, 1957, a written declaration to the effect that he elects to remain subject to the aforesaid four hundred dollar proviso, and in the event he so files such declaration he shall remain subject to said four hundred dollar proviso, and the sentences of this subdivision (a) preceding this sentence shall have no application to him. (b) For the purpose of deductions from salary, an employee member who shall

be such employee member after September 1, 1957, and who shall not be or shall not have been such employee member at September 1, 1957, shall be deemed to earn, or to have earned, salary at his actual rate of salary, but in no event at a rate in excess of five hundred dollars ($500) per month; provided that an employee member who shall be such employee member on or after September 1, 1966, shall be deemed to have earned salary on and after said date at his actual rate of salary, but in no event at a rate in excess of that provided for in subdivisions (c) or (e) of this section. (c) For the purpose of deductions from salary, an employee member who shall be or shall have been an employee member on or after September 1, 1966, shall be deemed to earn at all times subsequent to said September 1, 1966, salary at his actual rate of salary, but in no event at a rate in excess of five hundred dollars ($500.00) per month, plus one-half of his actual rate of salary in excess of such five hundred dollars. The City shall promptly pay each and every deduction hereinabove in this section provided for into a retirement and relief fund (herein referred to as "the fund"), and such deductions (less any interest included therein whether at the rate of three and three-tenths per centum (3.3%) or six per centum (6%) per annum) so paid into the fund shall be known as a contribution of the employee member to the fund. At the same time the City pays into the fund any deduction from the salary of an employee member, the City shall match such deduction by paying into the fund from its general or other appropriate funds an amount equal to the full amount of such deduction, provided that subsequent to September 1, 1966, in lieu of matching such deductions the obligation of the City to make payments into the fund shall be determined by the following: On account of each employee member there shall be paid monthly by the City into the fund an amount equal to a certain percentage of the salary, as defined for pension purposes, of each employee member to be known as the "normal contribution" and an additional amount equal to a percentage of such salary to be known as the "accrued liability contribution," and these two amounts shall be paid monthly subsequent to September 1, 1966. The rate per centums of such contributions shall be fixed for each fiscal year on the basis of the liabilities of the fund as shown by the last actuarial valuation. The actuary engaged to make such actuarial valuation shall, during the period over which the accrued liability is payable, determine the uniform and constant percentage of salary, as defined for pension purposes, of the average new entrant employee member which, if contributed on the basis of such salary throughout his entire period of active service, would be sufficient to provide for the payment of any benefit payable on his account which is not covered by his own contributions to the fund. The rate per centum so determined shall be known as the "normal contribution" rate. After the accrued liability contribution has ceased to be payable, the normal contribution rate shall be the rate per centum of the salaries, as defined for pension purposes, of all employee members obtained by dividing the amount of the City's unfunded liabilities by one per centum of the present value of the prospective future total salaries, as defined for pension purposes, of all employee members, as computed by the actuary. The accrued liability contribution rate shall be computed by the actuary as the rate per centum of the total annual salaries, as defined for pension purposes, of all employee members which is sufficient to liquidate the unfunded accrued liability determined on the basis of the provisions of the fund as they exist on the date of commencement of the payment of any accrued liability contribution hereunder over a period of 20 years from that date. At the time of any subsequent amendment to this Act which creates an additional unfunded accrued liability, such accrued liability contribution rate shall be adjusted so as to be sufficient to liquidate such additional unfunded accrued liability over a period of 20 years following the date such additional unfunded accrued liability arises. Commencing September 1, 1966, the normal and accrued liability rates of contribution shall be 5.40 per centum and 3.60 per

centum, respectively, until such time as a change is made as hereinbefore provided on the basis of an actuarial valuation. The city comptroller is specifically charged with the duty of making such deductions from salaries and of making such payments into the fund. (d) Any employee member who shall be or shall have been an employee member on September 1, 1966, and who shall have earned in excess of five hundred dollars ($500) actual salary during any month prior to said September 1, 1966, for which no deduction was made from that amount of salary in excess of five hundred dollars ($500) may elect to pay into the Fund for any one or more such months an amount equal to six per cent (6%) of one-half of that part of such actual salary paid such employee member in excess of five hundred dollars in any such month, plus interest on such payment at the rate of four per cent (4%) per annum from the date of payment of the salary upon which such six per cent (6%) payment is based. Upon payment into the Fund of any amount provided for in this subdivision (d), the employee member shall be entitled to have considered that amount of salary upon which such deductions and payments were made in computing his final average salary. No employee member shall be entitled to take advantage of the election, provided in this subdivision (d) subsequent to September 1, 1967, or subsequent to the time he has ceased to be an employee member. Only an employee member who is subject to the five hundred dollar ($500) limitation prior to September 1, 1966, shall be permitted to take advantage of the election provided for in this subdivision (d). (e) For the purpose of deduction from salary, an employee member who shall be or shall have been an employee member on or after September 1, 1969, shall be deemed to earn at all times subsequent to said September 1, 1969, salary at his actual rate of salary per month. The City shall promptly pay each and every deduction hereinabove in this section provided for into a retirement and relief fund (herein referred to as "the fund"), and such deductions (less any interest included therein whether at the rate of three and three-tenths per centum (3.3%) or six per centum (6%) per annum) so paid into the fund shall be known as a contribution of the employee member to the fund. At the same time the City pays into the fund any deduction from the salary of an employee member, the City shall match such deduction by paying into the fund from its general or other appropriate funds an amount equal to the full amount of such deduction, provided that subsequent to September 1, 1969, in lieu of matching such deductions the obligation of the City to make payments into the fund shall be determined by the following: On account of each employee member there shall be paid monthly by the City into the fund an amount equal to a certain percentage of the salary, as defined for pension purposes, of each employee member to be known as the "normal contribution" and an additional amount equal to a percentage of such salary to be known as the "accrued liability contribution," and these two amounts shall be paid monthly subsequent to September 1, 1969. The rate per centums of such contributions shall be fixed for each fiscal year on the basis of the liabilities of the fund as shown by the last actuarial valuation. The actuary engaged to make such actuarial valuation shall, during the period over which the accrued liability is payable, determine the uniform and constant percentage of salary, as defined for pension purposes, of the average new entrant employee member which, if contributed on the basis of such salary throughout his entire period of active service, would be sufficient to provide for the payment of any benefit payable on his account which is not covered by his own contributions to the fund. The rate per centum so determined shall be known as the "normal contribution" rate. After the accrued liability contribution has ceased to be payable, the normal contribution rate shall be the rate per centum of the salaries, as defined for pension purposes, of all employee members obtained by dividing the amount of the City's unfunded liabilities by one per centum of the present value of the prospective future total salaries, as defined for pension purposes, of all employee members, as

computed by the actuary. The accrued liability contribution rate shall be computed by the actuary as the rate per centum of the total annual salaries, as defined for pension purposes, of all employee members which is sufficient to liquidate the unfunded accrued liability determined on the basis of the provisions of the funds as they exist on the date of commencement of the payment of any accrued liability contribution hereunder over a period of 20 years from that date. At the time of any subsequent amendment to this Act which creates an additional unfunded accrued liability, such accrued liability contribution rate shall be adjusted so as to be sufficient to liquidate such additional unfunded accrued liability over a period of 20 years following the date such additional unfunded accrued liability arises. Commencing September 1, 1969, the normal and accrued liability rates of contribution shall be 5.40 per centum and 3.60 per centum, respectively, until such time as a change is made as hereinbefore provided on the basis of an actuarial valuation. The City Comptroller is specifically charged with the duty of making such deductions from salaries and of making such payments into the fund. (f) Any employee member who shall be or shall have been an employee member on September 1, 1969, and who shall have earned actual salary during any month prior to September 1, 1969, for which deductions or payments into the fund as hereinabove provided were not made based on the full amount of such actual salary, may elect to pay into the fund for any one or more such months an amount equal to six per cent (6%) of that part of such actual salary paid to such employee in any such month, for which no such deductions or payments were made, plus interest thereon at the rate of four per cent (4%) per annum from the date of payment of the salary upon which such six per cent (6%) payment is based. Upon payment into the fund of any amount provided for in this subdivision (f), the employee member shall be entitled to have considered that amount of salary upon which such deductions and payments were made in computing his final average salary. No employee member shall be entitled to take advantage of the election provided in this subdivision (f) subsequent to September 1, 1970, or subsequent to the time he has ceased to be an employee member. (g) Any employee member who shall be or become such employee members on or after September 1, 1969, and who shall have, prior thereto, been employed by any municipality in the county in which such city is situated or by the county under the provisions of the merit system applicable to such municipality or to the county in which such city is situated if there be such a system, may prior to September 1, 1970, or within sixty days after such employee becomes a member of the system, whichever date last occurs, pay to the City Comptroller a sum computed as follows: Determine the salary theretofore paid to such employee member each month by such other municipality or by the county during the time he was employed by either and compute the amount which would have been deducted from such salary had such salary been paid by the City under the provisions of this Act in effect at the time such employee member makes such payment to the City Comptroller which amount plus interest at the rate of four per cent (4%) from the date such deductions would have been made had such salary been paid by the City to the date of payment of said amount to the City Comptroller shall constitute the sum to be paid by such employee member to the City Comptroller to avail himself of the option here provided. Any such employee member who fails to pay the required amount to the City Comptroller within the time provided therefor shall not be permitted to do so at any time thereafter. Upon payment of the required amount by any such employee member, the City Comptroller shall promptly pay the same into the fund. Upon such payment such employee member shall be entitled to have considered that amount of salary paid by such municipality or county upon which payment was made in computing his final average salary the same as if the salary paid by such municipality or the county had been paid by the city and such payment (other than interest) had

been deductions from salary. The period of time covered by the salary upon which such payments are made shall be considered as part of such employee's paid membership time. (h) In the event a fireman or policeman belonging to the Supplemental Pension System established by Act No. 556 of the Legislature of Alabama of 1959, approved November 19, 1959, Acts of Alabama of 1959, pages 1376, et seq. retires after having accumulated at least twenty-five (25) years and less than thirty (30) years creditable time under this Act, in accordance with subsection (j) of Section 12 of this Act, the Board of Managers created by this Act shall receive for the said Retirement and Relief Fund the monthly payments required to be paid from the Retirement and Relief Fund established by said Act No. 556 of the Legislature of Alabama of 1959 to the Retirement and Relief Fund established by this Act between the date on which such fireman or policeman retires and the date on which he would have been entitled to receive a retirement allowance under the system established by this Act for thirty (30) years creditable time had he not retired but had continued to serve without interruption as a member of the Retirement and Relief System established by this Act until he became entitled to receive from the said last named system a retirement allowance based on thirty (30) years creditable time. During said period the City shall match the payments received by the fund established by this Act from the Retirement and Relief Fund established by said Act No. 556 by paying into the fund established by this Act from its general fund or other appropriate funds an amount equal to the full amount of the payments made from the Retirement and Relief Fund established by said Act No. 556 to the fund established by this Act. If it is practical from an administrative standpoint the City shall make such matching payments at the same time the fund established by this Act receives from the fund established by said Act No. 556 the payments required to be made from the latter fund. In any event the City shall pay into the fund established by this Act the aforesaid matching funds within thirty (30) days from the date the fund established by this Act receives from the fund established by said Act No. 556 the payments which are hereby required to be matched by the City. (i) The fund shall include all assets of the fund in any form, and the city comptroller shall be, ex-officio, the custodian of the fund. The custodian shall keep a separate account of the fund and of all assets and liabilities thereof and of all receipts and disbursements thereof and of all prior service time and paid membership time of employee members. The custodian shall keep all monies of the fund in a separate bank account. The custodian shall keep in force and effect a bond in a penal amount equal to the total amount of monies and securities in his custody or possession, but in no event in excess of fifty thousand dollars ($50,000), payable to the Board and conditioned for faithful performance of his duties and for faithful accounting to the Board for all monies, securities and property coming into his custody or possession as such custodian. Such bond shall be executed by a surety company authorized to do business in the State of Alabama, and the premium on such bond, and all necessary expenses of the Board, shall be paid out of the fund upon order of the Board. All bonds and securities acquired for the fund and which are registerable as to principal shall be registered by the custodian in the name of the system promptly upon acquisition and shall remain so registered until sold or otherwise disposed of by authority of the Board. The Board may select a banking institution located within the territorial jurisdiction of the city as subcustodian of securities, with authority to collect and remit to the custodian principal and interest of securities entrusted to its custody as the same may mature, and pay it such reasonable fees or compensation for its services as the Board may deem proper, and the Board may, if it sees fit, waive bond of such institution as subcustodian so long as the net worth of the subcustodian exceeds one and one-half times the total par value of the securities entrusted to its custody. Securities in the custody of such subcustodian shall not

be counted as in the custody of the custodian for the purpose of computing the amount of the custodian's bond. The Board is authorized to accept and receive gifts, donations, or legacies for the fund, and to administer same as may be directed by the donors. In the adjudication of claims against the fund, the records of the city comptroller and custodian made and kept for the purpose of this act shall be deemed prima facie, to speak the truth.

Section 2. Section 12 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951, page 1579, et seq.), as heretofore amended, be and said section is hereby further amended so as to read as follows:

"Section 12. Retirement Allowances. (a) Any employee member who shall be now or hereafter of the age of sixty or more years, and who shall have now or hereafter accumulated fifteen or more years of creditable time, or any employee member who, regardless of age, shall have now or hereafter accumulated thirty or more years of creditable time, shall be entitled to voluntarily retire from the service and obtain a retirement allowance, and if, being so entitled to voluntarily retire and obtain a retirement allowance, he should voluntarily retire or be involuntarily retired from the service, he shall be entitled to a monthly retirement allowance from the fund in the amount specified in the two sentences next following this sentence. The monthly amount which shall be allowed any employee member who shall be entitled to a retirement allowance under the first sentence of this subdivision of this section, and who shall be or shall have been an employee member on the first day of July after nine years after date of establishment, shall be forty per centum (40%) of his final average salary plus one and one-third per centum (1-1/3%) of his final average salary multiplied by the number of years of his creditable time in excess of fifteen (15) years of his creditable time, but in no event shall such monthly retirement allowance exceed fifty-three and three-fourths per centum (53-¾%) of his final average salary. The monthly amount which shall be allowed any employee member who shall be entitled to a retirement allowance under the first sentence of this subdivision (a) of this section, and who shall not be or shall not have been an employee member on the 1st day of July after nine years after date of establishment, shall be one and nineteen twenty-fourths per centum (1-19/24%) of his final average salary multiplied by the number of years of his creditable time, but in no event shall such monthly retirement allowance exceed fifty-three and three-fourths per centum (53-¾%) of his final average salary. The amount of any retirement allowance under this subdivision (a) of this section shall commence to accrue at date of retirement.

(b) Any employee member who shall not be entitled to voluntarily retire and obtain a retirement allowance under subdivision (a) of this section, and who may be involuntarily retired after having accumulated twenty (20) years of creditable time, shall be entitled to a monthly retirement allowance from the fund equal to one and nineteen twenty-fourths per centum (1-19/24%) of his final average salary mutliplied by the number of years of his creditable time, but in no event shall such monthly retirement allowance exceed fifty-three and three-fourths per centum (53-¾%) of his final average salary. Anything hereinabove to the contrary notwithstanding, no retirement allowance shall be made or paid under this subdivision of this section to any person under sixty years of age unless, within sixty days after date of involuntary retirement or dismissal of such person, the personnel board or other agency governing tenure of service of employees of the City shall certify that such employee has not contributed by his own fault or misconduct to his separation from the service. If such certificate shall be made within said time the amount of retirement allowance shall commence to accrue at date of involuntary retirement, and if such certificate shall not be made within said time, the amount of retirement allowance

shall commence to accrue at age sixty, provided there be no withdrawal of contributions. Anything hereinabove to the contrary notwithstanding, a retirement allowance under this subdivision of this section shall not accrue or be payable for any period during which such involuntarily retired person shall refuse or fail to accept proffered employment in the service at compensation equal to that he was receiving at the time he was involuntarily separated from the service.

(c) For the purpose of computing retirement pay, an employee shall be deemed to earn, or to have earned salary at the same rate of salary as that which he shall be deemed to earn, or to have earned salary for the purpose of deductions from salary under Section 9. The Board may treat the end of the payroll period next before actual date of retirement of an employee member as the date of his retirement for purposes of computation, and for such purposes may disregard a fraction of a year of creditable time less than one-fourth (¼).

(d) Subject to the provisions of subdivisions (e) and (f) of this section, the amount of any retirement allowance which may have commenced to accrue in accordance with the provisions of the system shall continue to accrue throughout the life of such person.

(e) If, after any person shall have retired or been retired as hereinabove in this section provided and the amount of his retirement allowance shall have commenced to accrue, he should be re-employed in the service and again become a member of the system under the terms of the system, he shall again contribute to the fund as in the case of any other member, and accrual of the amount of his retirement allowance shall be suspended during the period of his renewed employee membership, and upon any subsequent voluntary or involuntary retirement from the service the amount of his former retirement allowance shall again commence to accrue at the same rate as formerly, and he shall be entitled to allowance of such additional amount, if any, as his additional paid membership time may have earned for him.

(f) In this Section 12 of the masculine gender shall include the feminine, in accordance with the meanings ascribed to words and terms by Section 4 of this Act. (The next foregoing sentence is inserted to make it clear that this section provides a benefit for widowers as well as for widows.) In the event of the death of any retired beneficiary in whose favor a monthly retirement allowance is accruing, or in the event of the death of any employee member entitled prior to his death to voluntarily retire and obtain a retirement allowance under subsection (a) of this Section 12, his spouse and child, or children, shall be entitled to a monthly allowance in the amount hereinafter specified in this subdivision (f), subject to the conditions and limitations herein stated.

No spouse shall receive any benefit under this subdivision (f) unless such spouse was married to the deceased employee for at least five consecutive years while he was employed in the service of the City. No spouse shall be entitled to receive such benefit for any period following remarriage. No benefit shall be payable under this subdivision (f) to a married child, or to a child over eighteen (18) years of age unless he is attending school, or to any child over twenty-one (21) years of age. A child shall be deemed to be attending school during his vacation between school terms, provided he attended school during the next preceding term and expects to return to school when the next term commences.

The benefit payable under this subsection (f) shall be an amount equal to forty per centum (40%) of the retirement allowance the deceased employee was receiving when he died, or forty per centum (40%) of the monthly retirement allowance he would have been entitled to receive had he retired immediately before his death.

Such benefit shall be payable to the deceased employee's spouse, or child or children, in the following order: (1) to the spouse; and (2) if there is no spouse eligible to receive the benefit, then to the child or children of the deceased employee, if any. If the spouse is ineligible to receive the benefit, or having commenced to receive it becomes ineligible to continue receiving it, the benefit shall be paid to the child or children on the conditions prescribed. If two or more children are simultaneously entitled to receive the benefit, it shall be divided equally among the children so entitled.

(g) If an employee member be killed in the line of his duty on or after September 1, 1969, his spouse and child or children shall be entitled to a monthly allowance in the amount and order herein specified in this subdivision (g), subject to the conditions and limitations herein stated. All of the limitations and prohibitions prescribed in subdivision (f), next above, in respect to the payment of a benefit to a spouse or child or children, shall apply to the payment of such benefit to a spouse or child under this subdivision (g); provided, however, that if an employee member be killed in the line of his duty after September 1, 1969, the benefit provided for by this subdivision (g) shall be payable without regard to the time during which the marriage between the deceased employee and such spouse existed.

The benefit payable under this subdivision (g) shall be payable to the classes named in the following order and in the following amounts: (1) to the employee's spouse, forty per centum (40%) of the final average salary of such employee, provided, however, that if he does not have as much as five years creditable time, the benefit shall be forty per centum (40%) of his monthly salary at the time of the injury resulting in his death. In addition, the spouse shall receive a monthly allowance of ten per centum (10%) of such monthly salary (final average salary or salary at the time of the injury, as the case may be) for each child of such deceased employee, provided, however, that payment of any benefit to the spouse on account of any child shall be subject to all restrictions above imposed with respect to payment to a child; and provided, further, that the total amount of monthly allowance payable to the spouse for the spouse and for the children shall not exceed fifty per centum (50%) of the salary of the deceased employee (whether it be the final average salary or the salary at the time of the injury, as the case may be); (2) if there is no eligible spouse, then there shall be paid as hereinafter provided to or for the benefit of such deceased employee's child or children an amount equal to forty per centum (40%) of the deceased employee's salary (either his final average salary or his salary when the injury occurred, as the case may be). In such case the monthly allowance provided hereby for any child of such deceased employee shall be payable to the legal guardian of, or to the person who has custody of said child, for the use and benefit of said child, provided, however, if such child may legally accept payment of such allowance, it shall be paid to him.

(h) The amount of a surviving spouse's allowance provided for in (f), (g) and (j) hereof shall commence to accrue at the death of the deceased spouse and shall continue to accrue until the surviving spouse's death or remarriage, whichever may first occur.

(i) The rights of any person heretofore or hereafter retired from the service after June 30, 1945 shall continue to be measured and governed by the terms of the system in effect at the time of such retirement, and should such person die during continuance of such retirement the rights of the spouse of such deceased retired person, and the rights of any spouse of any other deceased person, shall be measured and governed by the terms of the system in effect at the time of death of such deceased person, and the foregoing provisions of this subdivision (i) shall control over anything heretofore or hereafter in the system which might be construed to the contrary.

(j) Any fireman or policeman belonging to the Supplemental Pension System established by Act No. 556 of the Legislature of Alabama of 1959, approved November 19, 1959, Acts of Alabama of 1959, pages 1376, et seq., upon accumulating twenty-five (25) years or more creditable time under this Act, shall then be entitled to voluntarily retire from the service at any time before he accumulates as much as thirty (30) years creditable time under this Act and to obtain a retirement allowance upon the terms and conditions hereinafter stated in this subsection (j). No fireman or policeman retired under this subsection (j) shall receive any allowance from the retirement and relief fund established by this Act until the date on which he would have accumulated thirty (30) years service had he not retired but had continued to be employed without interruption as a fireman or policeman of the city. When a fireman or policeman is granted an allowance under this subsection (j), a monthly allowance shall be payable to him in the amount hereinafter stated, beginning on and continuing after the date on which he would have accumulated thirty (30) years creditable time under this Act had he not retired under this subsection (j) but had continued to serve without interruption as a fireman or policeman of the City. Starting on the last mentioned date there shall be payable to him an allowance equal to the allowance which he would have received had he continued in the employ of the city until he accumulated thirty (30) years creditable time under this Act; provided, however, that his said allowance for thirty (30) years creditable time shall be based on his final average salary as of the date of his retirement. In the event any fireman or policeman after retiring under this subsection (j) shall die prior to the date on which he would have accumulated thirty (30) years creditable time under this Act had he continued to serve without interruption, his widow shall not receive any allowance under this Act. In the event any fireman or policeman retiring under this subsection (j) dies after the date on which it is hereinabove provided payment of a monthly allowance to him from the retirement and relief fund established by this Act shall commence, then his widow at the time of his death, provided she has been married to him for five consecutive years while he was employed in the service of the city, shall be entitled to a monthly widow's allowance in an amount equal to forty per centum (40%) of the amount of monthly retirement allowance to which her deceased husband was entitled to receive from the said retirement and relief fund at the time of his death.

(k) Anything hereinabove to the contrary notwithstanding, any employee member who shall have accumulated in excess of thirty (30) years of creditable time shall be entitled, in addition to the retirement allowance hereinabove provided, to an additional monthly amount equal to one per centum (1%) of his final average salary multiplied by his number of years of creditable time in excess of thirty.

(l) Anything hereinabove to the contrary notwithstanding, the rights of the spouse, child or children of an employee member killed in line of duty subsequent to July 1, 1947 shall be measured and governed by the terms of the system in effect at the time of such death.

Section 3. Section 14 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama of 1951, page 1579), as heretofore amended, be and said section is hereby further amended so as to read as follows:

"Section 14. Disability allowances. (a) If any employee member, after having accumulated five (5) years or more of creditable time, shall become totally disabled, either physically or mentally, to perform his customary duties, whether by reason of disease, injury, accident or otherwise, then, in the event such total disability shall continue for sixty (60) consecutive calendar days from commencement thereof, such

disabled person shall be entitled to a monthly disability allowance from the fund equal to one and nineteen twenty-fourths per centum (1-19/24%) of his final average salary multiplied by the number of years of his creditable time, such monthly allowance, however, not to exceed forty per centum (40%) of his final average salary, and the amount of such disability allowance to commence to accrue at the expiration of sixty (60) calendar days after commencement of such total disability, and to continue to accrue until such time as such person is no longer totally disabled to perform his customary duties or substantially comparable duties. Anything hereinabove to the contrary notwithstanding, a disability allowance based on disability commencing prior to September 1, 1969 shall be payable at the rate provided for by statute in effect at the time of commencement of such disability. An allowance under this subdivision of this section shall be known as an 'ordinary disability allowance'. (b) If an employee member, whether with or without five years of creditable time, shall become totally disabled, either physically or mentally, to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service, and occurring at a definite time and place and after July 1, 1945, then, in the event such total disability shall continue for sixty (60) consecutive calendar days from commencement thereof, such disabled person shall be entitled to monthly disability allowance from the fund equal to sixty per centum (60%) of his monthly salary at the time of the accident resulting in such total disability, and the amount of such total disability allowance to commence to accrue at the expiration of such sixty (60) consecutive calendar days after commencement of such total disability, and to continue to accrue until such time as such person is no longer totally disabled by such injury to perform his said customary duties or substantially comparable duties. An allowance made under this subdivision of this section shall be known as an 'extraordinary disability allowance', but no disability allowance shall be made by the Board under this subsection of this section after twelve (12) months after the accident resulting in such disability, or if such accident occurred while the disabled person was employed by another than the City. No disability allowance shall be treated as an extraordinary disability allowance unless the resolution by which it is made contains the specification that it is an extraordinary disability allowance and unless such resolution be passed within twelve (12) months after the accident resulting in disability. In the event that an extraordinary disability beneficiary should become separated from the service during continuance of total disability, and such total disability from such injury should thereafter cease, the Board may, in its discretion, continue him on the disability rolls until such time as, in the judgment of the Board, he should be able to find suitable employment at a rate of pay equal to the rate of his disability allowance. Hypertension, heart disease or respiratory disease shall not be considered as caused by accident so as to entitle an employee member to an extraordinary disability allowance, and no employee member or any person claiming under or by reason of relationship to an employee member shall be entitled to an extraordinary disability allowance as a result of disability caused by hypertension, heart disease or respiratory disease, any other law, general or local, to the contrary notwithstanding. (c) No disability allowance shall be made by the Board until after satisfactory proof has been made to the Board of total disability by certificate of at least one licensed and practicing physician or surgeon. The Board shall have power to require certificates of more than one such physician or surgeon and such further proof of total disability as it may reasonably deem necessary. The Board may from time to time require further such certificates and other proof to determine whether total disability still exists. No disability pay shall be allowable or paid to any person for any period for which such person is due or has been paid any salary from or by the City. (d) Resumption of active duty by an employee member after cessation of active

duty on account of total disability shall be conclusive evidence of termination of such total disability for the purposes of the system, and any subsequent cessation of active duty on account of total disability, whether by reason of the same or different cause, shall be treated as a new disability; provided, however, that if one who has become totally disabled to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service, and occurring at a definite time and place, should resume active duty within a time limit of twelve (12) months after the accident resulting in total disability and for trial period or periods not exceeding an aggregate of one hundred eighty (180) days within such time limit of twelve (12) months after such accident, then such resumption or resumptions of active duty shall not be conclusive evidence of termination of total disability and such one shall not be prevented by such resumption or resumptions of active duty from showing that total disability resulting from such accident exists or still continues, if such be the case. (e) If any disability beneficiary should become separated from the service and withdraw his contributions, his right to continuance of disability benefits shall immediately cease. (f) For the purpose of computing disability pay, an employee shall be deemed to earn, or to have earned salary at the same rate of salary as that which he shall be deemed to earn, or to have earned, salary for the purpose of deductions from salary under Section 9."

Section 4. The provisions of this Amendatory Act are severable. If any part of the Act is declared invalid, unconstitutional or improperly included therein, such declaration shall not affect the part or parts which remain.

Section 5. This Act shall become effective upon its approval by the Governor or upon its otherwise becoming a law.

Yeas 71; Nays 0.

Yeas:

Mr. **Speaker**	Ellis	Lyons	Pearson
Adwell	Fine	Malone	Pennington
Agee	Foshee	Manley	Perloff
Bassett	Garrett	Marr	Pruitt
Beck	Gloor	Mays	Robertson
Berryman (W)	Graham	McCorquodale	Springer
Blanton	Grainger	McDonald	Stembridge
Bowers	Grayson	McElhaney	Stubbs
Brannan	Hain	Meade	Tuck
Brassell	Hardin	Meeks	Turnham
Burgess	Harper	Melton	Waggoner
Collins (W)	Headley	Merrill	Weeks
Cook (Jefferson)	Higginbotham	Money	Williams
Crawford	Holman	Nettles	Wood
Culver	House	Neville	Wright
Dill	Jackson (F)	Owen (Baldwin)	Yeilding
Downing	Kilgore	Owens (W)	Young
Drake	Lemley	Paulk	—71

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1047. To change the method of compensating the sheriff of Barbour County, placing such officer on a salary basis; to provide that

the fees, commissions, and allowances provided the sheriff under the general law shall be paid into the county treasury; and to provide that expenses, equipment and assistants necessary to the conduct of the sheriff's office be paid for by the county.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Neville, the House concurred in and adopted the Senate amendment to the bill, H. 1047, said Senate amendment being as follows:

In Section 7 strike out the period at the end of the section and insert in lieu thereof the following:

, provided that a majority of the qualified electors of Barbour County, voting in such constitutional amendment election approved the adoption of the amendment. If the vote in Barbour County on such amendment is not favorable thereto, then this Act shall have no force or effect.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Ellis	Lyons	Paulk
Agee	Fine	Manley	Pearson
Bassett	Foshee	Marr	Perloff
Beck	Garrett	Mays	Pruitt
Berryman (W)	Gloor	McCorquodale	Robertson
Blanton	Graham	McDonald	Sessions
Bowers	Grainger	McElhaney	Springer
Brannan	Grayson	Meade	Stembridge
Burgess	Hain	Meeks	Stubbs
Collier	Hardin	Melton	Tuck
Collins (W)	Headley	Merrill	Turnham
Cook (Jefferson)	Higginbotham	Money	Waggoner
Crawford	Holman	Nettles	Williams
Culver	House	Neville	Wright
Dill	Jackson (F)	Owen (Baldwin)	Yeilding
Downing	Kilgore	Owens (W)	Young
Drake	Lemley		

—66

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1505. To amend Sections 3, 6, 7 and 8 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966, (Acts of Alabama, 1966 Special Session, Page 280, et seq.) entitled "An Act to provide a separate Retirement and Relief System for certain of the presently active employees of the City of Birmingham who entered the service of the Fire Department of said city prior to September 19, 1939, and to whom is applicable the Pension and Relief System provided by Act No. 307 of the 1943 Regular Session of the Legislature of Alabama, as amended, and Act Number 22 of the Second Special Session of the Legislature of Alabama of 1956: to include in said separate System dependents of said presently active employeees: and to render said Act No. 307 and said Act Number 22 inapplicable to said certain presently active employees and their dependents."

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Jefferson), the House concurred in and adopted the Senate amendment to the bill, H. 1505, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

TO AMEND SECTIONS 3, 6, 7, and 8 OF ACT NO. 217 OF THE 1966 SPECIAL SESSION OF THE LEGISLATURE OF ALABAMA, APPROVED AUGUST 30, 1966, (ACTS OF ALABAMA, 1966 SPECIAL SESSION, PAGE 280, ET SEQ.) ENTITLED "AN ACT TO PROVIDE A SEPARATE RETIREMENT AND RELIEF SYSTEM FOR CERTAIN OF THE PRESENTLY ACTIVE EMPLOYEES OF THE CITY OF BIRMINGHAM WHO ENTERED THE SERVICE OF THE FIRE DEPARTMENT OF SAID CITY PRIOR TO SEPTEMBER 19, 1939, AND TO WHOM IS APPLICABLE THE PENSION AND RELIEF SYSTEM PROVIDED BY ACT NO. 307 OF THE 1943 REGULAR SESSION OF THE LEGISLATURE OF ALABAMA, AS AMENDED, AND ACT NUMBER 22 OF THE SECOND SPECIAL SESSION OF THE LEGISLATURE OF ALABAMA OF 1956, TO INCLUDE IN SAID SEPARATE SYSTEM DEPENDENTS OF SAID PRESENTLY ACTIVE EMPLOYEES; AND TO RENDER SAID ACT NO. 307 AND SAID ACT NUMBER 22 INAPPLICABLE TO SAID CERTAIN PRESENTLY ACTIVE EMPLOYEES AND THEIR DEPENDENTS."

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 3 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966 (Ala. Acts, 1966 Special Session, page 280, et seq.) be amended to read as follows:

"Section 3. Contributions by Members of the System. (a) As herein used the following terms have the meanings hereby ascribed to them: 'general employees system' means the pension system established by Act No. 929 of the Regular Session of 1951 (Ala. Acts, 1951, page 1579, et seq.); 'general employees system fund' means the pension fund of the general employees system; 'Act 929' means Act No. 929 above mentioned. (b) The members of the system shall make to the treasury of the City the contributions prescribed by subsections (c), (d), (e), and (f) below, unless there is a change of the contributions which Section 9 of Act 929, as amended, requires members of the general employees system to make to the general employees system fund. In the event of such change, the provisions of subsection (h), below, shall govern the amount of contributions the members of the system shall make to the Treasury. (c) At the end of each payroll period ending subsequent to the effective date of this act and prior to September 1, 1969, the city shall deduct from the salary of each member of the system an amount equal to six per centum (6%) of his salary for such payroll period; provided, however, that for the purpose of such deductions pursuant to the provisions of this section no member of the system shall be deemed to earn or to have earned salary at a rate in excess of five hundred dollars ($500.00) per month, plus one-half of his actual rate of salary in excess of such five hundred dollars ($500.00). (d) Any employee member of the system who shall be or shall have been such member on or subsequent to September 1, 1966, and who shall have earned salary during any month prior to said September 1, 1966, in excess of the amount for which deductions from salary were made under this act or under said Act No. 307 of the 1943 Session of the Legislature of Alabama, or under Act Number 22 of the Second Special Session of the Legislature of Alabama of 1956, may elect to pay

into the treasury for any one or more such months an amount equal to six per centum (6%) of on-half of that part of such actual salary paid such employee member in excess of five hundred dollars ($500.00), plus interest on such payment at the rate of four per centum (4%) per annum from the date of payment of the salary upon which such six per centum (6%) payment is based. Upon payment into the treasury of any amount provided for in this subsection (d), such member shall be entitled to have considered that amount of salary upon which such deductions and payments were made in computing his final average salary. No such member shall be entitled to take advantage of the election provided in this subsection (d) subsequent to September 1, 1967, or subsequent to the time he had ceased to be an active employee of the city. (e) At the end of each payroll period ending subsequent to September 1, 1969 the City shall deduct from the salary of each member of the system an amount equal to six per centum (6%) of his actual salary for such payroll period. (f) Any employee member of the system who shall be or shall have been such member on or subsequent to September 1, 1969, and who shall have earned actual salary during any month prior to September 1, 1969, for which deductions or payments into the Treasury as hereinabove provided were not made based on the full amount of such actual salary, may elect to pay into the Treasury for any one or more such months an amount equal to six per cent (6%) of that part of such actual salary paid to such employee in any such month for which no deductions or payments were made, plus interest at the rate of four per cent (4%) per annum from the date of payment of the salary upon which such six per cent (6%) payment is based. Upon payment into the Treasury of any amount provided for in this subsection (f) the employee member shall be entitled to have considered that amount of salary upon which such deductions and payments were made in computing his final average salary. No employee member shall be entitled to take advantage of the election provided in this subdivision (f) subsequent to September 1, 1970, or subsequent to the time he has ceased to be an employee member. (g) The city shall promptly pay each and every deduction and direct payment in this section hereinabove provided for into the general treasury of the city (herein referred to as 'the treasury'), and such deduction or direct payment, less however, so much if any thereof as shall be interest, shall be known as a contribution of the member of the system to the treasury. The comptroller is specifically charged with the duty of making such deductions from salaries and receiving such direct payments, and of paying into the treasury all amounts so deducted or received. All such amounts so paid into the treasury shall become and be part of the funds and assets of the treasury. The comptroller, however, shall keep a separate account of such amounts so paid into the treasury, of contributions of the members of the system to the treasury, of all disbursements made pursuant to the provisions of this act, and of all prior service time and paid membership time of members of the system. In the adjudication of claims under this act, the records of the comptroller made and kept for the purposes of this act shall be deemed, prima facie, to speak the truth. (h) The rates at which this Section 3 requires, or will require, members of the system to make contributions to the Treasury of the city shall always be the same rates of contributions required of members of the general employees system in respect to the general employees system fund, by Section 9 of Act 929, as said Section 9 is now amended, or as said section may be hereafter amended."

Section 2. That Section 6 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966 (Ala. Acts, 1966 Special Session, page 280, et seq.) be amended to read as follows:

"Section 6. Retirement Allowances. (a) Any member of the system who shall be now or hereafter of the age of sixty or more years,

and who shall have now or hereafter accumulated fifteen or more years of creditable time, or any member of the system, regardless of age, shall have now or hereafter accumulated twenty-five or more years of creditable time, shall be entitled to voluntarily retire from the service and obtain a retirement allowance, and if, being so entitled to voluntarily retire and obtain a retirement allowance he should voluntarily retire, or be involuntarily retired from the service, he shall be entitled to a monthly retirement allowance from the treasury as hereinafter in this subsection (a) of this section specified. The monthly amount which shall be allowed any member of the system who shall be entitled to a retirement allowance under this subsection of this section shall be one and fifty-nine one hundredths per centum (1-59/100%) of his final average salary multiplied by such number of years of his creditable time as shall not exceed twenty-five years of his creditable time, plus four per centum (4%) of his final average salary multiplied by the number of years of his creditable time in excess of twenty-five years of his creditable time, but in no event shall such monthly retirement allowance exceed fifty-three and three-fourths per cent (53-¾%) of his final average salary. The amount of any retirement allowance under this subsection of this section shall commence to accrue at date of retirement. (b) Any member of the system who shall not be entitled to voluntarily retire and obtain a retirement allowance under subdivision (a) of this section, and who may be involuntarily retired after having accumulated twenty (20) years of creditable time, shall be entitled to a monthly retirement allowance from the treasury equal to one and fifty-nine one hundredths per centum (1-59/100%) of his final average salary multiplied by the number of years of his creditable time, but in no event shall such monthly retirement allowance exceed fifty-three and three-fourths per centum (53-¾%) of his final average salary. Anything hereinabove to the contrary notwithstanding, no retirement allowance shall be made or paid under this subdivision of this section to any person under sixty years of age unless, within sixty days after date of involuntary retirement or dismissal of such person the personnel board or other agency governing tenure of service of employees of the city shall certify that such employee has not contributed by his own fault or misconduct to his separation. (c) The board may treat the end of the payroll period next before actual date of retirement of a member of the system as the date of his retirement for purposes of computation, and for such purposes may disregard a fraction of a year of creditable time less than one-fourth (¼th). (d) Subject to the provisions of subsections (e) and (f) of this section, the amount of any retirement allowance which may have commenced to accrue in accordance with the provisions of this act shall continue to accrue throughout the life of such person. (e) If, after any person shall have retired or been retired as hereinabove in this section provided, and the amount of his retirement allowance shall have commenced to accrue, he should be re-employed in the service, he shall again become a member of the system under the terms of this act and shall again contribute to the treasury as in the case of any other member of the system, and accrual of the amount of his retirement allowance shall be suspended during the period of his renewed employment in the service, and upon any subsequent voluntary or involuntary retirement from the service the amount of his former retirement allowance shall again commence to accrue at the same rate as formerly, and he shall be entitled to allowance of such additional amount, if any, as his additional paid membership time may have earned for him. (f) In the event of the death of any retired beneficiary in whose favor a monthly retirement allowance is accruing, or in the event of the death of any employee member entitled prior to his death to voluntarily retire and obtain a retirement allowance under subsection (a) of this Section 6, his spouse and child, or children, shall be entitled to a monthly allowance in the amount hereinafter specified in this subsection (f), subject to the conditions and limitations herein stated. No spouse shall receive any benefit under this subsection (f) unless such

spouse was married to the deceased employee for at least five consecutive years while he was employed in the service of the city. No benefit shall be payable under this subsection (f) to a married child, or to a child over eighteen (18) years of age unless he is attending school, or to any child over twenty-one (21) years of age. A child shall be deemed to be attending school during his vacation between school terms, provided he attended school during the next preceding term and expects to return to school when the next term commences. The benefit payable under this subsection (f) shall be an amount equal to forty per centum (40%) of the retirement allowance the deceased employee was receiving when he died, or forty per centum (40%) of the monthly retirement allowance he would have been entitled to receive had he retired immediately before his death. Such benefit shall be payable to the deceased employee's spouse, or child or children, in the following order: (1) to the spouse; and (2) if there is no spouse eligible to receive the benefit, then to the child or children of the deceased employee, if any. If the spouse is ineligible to receive the benefit or having commenced to receive it becomes ineligible to continue receiving it, the benefit shall be paid to the child or children on the conditions prescribed. If two or more children are simultaneously entitled to receive the benefit, it shall be divided equally among the children so entitled. (g) If a member of the system be killed in the line of his duty his spouse, and child or children shall be entitled to a monthly allowance in the amount and order herein specified in this subsection (g), subject to the conditions and limitations herein stated. All of the limitations and prohibitions prescribed in subsection (f), next above, in respect to the payment of a benefit to a spouse, or child or children, shall apply to the payment of such benefit to a spouse, or child under this subsection (g); provided, however, that the benefit provided for by this subsection (g) shall be payable without regard to the time during which the marriage between the deceased employee and such spouse existed. The benefit payable under this subsection (g) shall be payable to the classes named in the following order and in the following amounts: (1) To the employee's spouse, forty per centum (40%) of the final average salary of such employee. In addition, the spouse shall receive a monthly allowance of ten per centum (10%) of such average salary for each child of such deceased employee; provided, however, that payment of any benefit to the spouse on account of any child, shall be subject to all restrictions above imposed with respect to payment to a child; and provided, further, that the total amount of monthly allowance payable to the spouse for the spouse and for the children shall not exceed fifty per centum (50%) of the final average salary of the deceased employee. (2) If there is no eligible spouse, then there shall be paid to such deceased employee's child or children an amount equal to forty per centum (40%) of the deceased employee's final average salary. In such case the monthly allowance provided hereby for any child of such deceased employee shall be payable to the legal guardian of, or to the person who has custody of said child, for the use and benefit of said child provided, however, if such child may legally accept payment of such allowance, it shall be paid to him. (h) The amount of a surviving spouse's allowance, provided for in (f) and (g) above, shall commence to accrue at the death of the deceased spouse and shall continue to accrue until the surviving spouse's death or remarriage, whichever may first occur. (i) Anything hereinabove to the contrary notwithstanding, any employee member who shall have accumulated in excess of thirty (30) years of creditable time shall be entitled, in addition to the retirement allowance hereinabove provided, to an additional monthly amount equal to one per cent (1%) of his final average salary multiplied by his number of years of creditable time in excess of thirty." (j) The rights of any person heretofore or hereafter retired from the service shall continue to be measured and governed by the terms of the system in effect at the time of such retirement, and should such person die during continuance of such retirement the rights of the spouse and dependents

of such deceased retired person and the rights of the spouse and dependents of any other deceased person, shall be measured and governed by the terms of the system in effect at the time of the death of such deceased person and the foregoing provisions of this subsection (j) shall control over anything heretofore or hereafter in the system which might be construed to the contrary.

Section 3. That Section 7 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966, (Ala. Acts, 1966 Special Session, page 280, et seq.) be amended to read as follows:

"Section 7. Disability Allowances. (a) If any member of the system shall become totally disabled, either physically or mentally, to perform his customary duties, whether by reason of disease, injury, accident or otherwise, and the provisions of subsection (b) of this section shall not be applicable, then, in the event such total disability shall continue for sixty (60) consecutive calendar days from commencement thereof, such disabled employee shall be entitled to a monthly allowance from the Treasury equal to one and nineteen twenty-fourths per centum (1-19/24%) of his final average salary multiplied by the number of years of his creditable time, such monthly allowance, however, not to exceed forty per centum (40%) of his final average salary and the amount of such disability allowance to commence to accrue at the expiration of sixty (60) calendar days after commencement of such total disability and to continue to accrue until such time as such person is no longer totally disabled to perform his customary duties or substantially comparable duties. An allowance under this subsection of this section shall be known as an "ordinary disability allowance." (b) If a member of the system shall become totally disabled, either physically or mentally, to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service, and occurring at a definite time and place, then in the event such total disability shall continue for sixty consecutive calendar days from commencement thereof, such disabled person shall be entitled to a monthly disability allowance from the treasury equal to sixty per centum (60%) of that amount of his monthly salary from which deductions are being made hereunder at the time of the accident resulting in such total disability, the amount of such total disability allowance to commence to accrue at the expiration of such sixty consecutive calendar days after commencement of such total disability and to continue to accrue until such time as such person is no longer totally disabled by such injury to perform his said customary duties, or substantially comparable duties. An allowance made under this subdivision of this section shall be known as an 'extraordinary disability allowance', but no disability allowance shall be made by the board under this subdivision of this section after twelve months after the accident resulting in such disability, or if such accident occurred while the disabled person was employed by another than the city. No disability allowance shall be treated as an extraordinary disability allowance unless the resolution by which it is made contains the specification that it is an extraordinary disability allowance, and unless such resolution be passed within twelve months after the accident resulting in disability. In the event that an extraordinary disability beneficiary should become separated from the service during continuance of total disability, and such total disability from such injury should thereafter cease, the board may in its discretion continue him on the disability roll until such time as in the judgment of the board he should be able to find suitable employment at a rate of pay equal to the rate of his disability allowance. Hypertension, heart disease or respiratory disease shall not be considered as caused by accident so as to entitle an employee member to an extraordinary disability allowance, and no em-

ployee member or any person claiming under or by reason of relationship to an employee member shall be entitled to an extraordinary disability allowance as a result of disability caused by hypertension, heart disease or respiratory disease, any other law, general or local, to the contrary notwithstanding. (c) No disability allowance shall be made by the board until after satisfactory proof has been made to the board of total disability by certificate of at least one licensed and practicing physician or surgeon. The board shall have power to require certificates of more than one such physician or surgeon and such further proof of total disability as it may reasonably deem necessary. The board may from time to time require further such certificates and other proof to determine whether total disability still exists. No disability pay shall be allowable or paid to any person for any period for which such person is due or has been paid any salary from or by the city. (d) Resumption of active duty by a member of the system after cessation of active duty on account of total disability shall be conclusive evidence of termination of such total disability for the purposes of this act, and any subsequent cessation of active duty on account of total disability, whether by reason of the same or different cause, shall be treated as a new disability; provided, however, that if one who has become totally disabled to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service and occurring at a definite time and place, should resume active duty within a time limit of twelve months after the accident resulting in total disability and for trial period or periods not exceeding an aggregate of one hundred eighty days within such time limit of twelve months after such accident, then such resumption or resumptions of active duty shall not be conclusive evidence of termination of total disability and such one shall not be prevented by such resumption or resumptions of active duty from showing that total disability resulting from such accident exists, or still continues, if such be the case. (e) If any disability beneficiary should become separated from the service and withdraw his contributions, or any amount payable under Section 11, his right to continuance of disability benefits shall immediately cease. (f) For the purpose of computing disability pay, an employee shall be deemed to earn, or to have earned, salary at the same rate of salary as that which he shall be deemed to earn, or to have earned salary for the purpose of deductions from salary under Section 3 of this Act, or under Act Number 22 of the Second Special Session of the Legislature of Alabama of 1956, whichever is applicable. (g) Anything herein to the contrary notwithstanding, a disability allowance based on disability commencing prior to September 1, 1969 shall be payable at the rate provided for by statute in effect at the time of the commencement of such disability."

Section 4. That Section 8 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966 (Ala. Acts, 1966 Special Session, page 280, et seq.) as heretofore amended, be and the same is hereby further amended, to read as follows:

"Section 8. Reduction of Allowances. Any amount otherwise payable pursuant to the provisions of this Act to any beneficiary for any month or part thereof on account of retirement, or disability, shall be reduced by the amount, if any, paid or payable by the City to such beneficiary for the same month or part thereof on account or by reason of employment of said beneficiary during such month as an employee of the City."

Section 5. This Act shall become effective upon its approval by the Governor, or upon its otherwise becoming a law.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Paulk
Adwell	Drake	Kilgore	Pearson
Agee	Ellis	Lemley	Perloff
Bassett	Fine	Lyons	Pruitt
Beck	Foshee	Manley	Robertson
Berryman (W)	Gloor	Marr	Sessions
Blanton	Graham	Mays	Springer
Bowers	Grainger	McDonald	Stembridge
Brannan	Grayson	McElhaney	Stubbs
Burgess	Hain	Meade	Tuck
Burgreen	Hardin	Meeks	Turnham
Collier	Harper	Melton	Waggoner
Collins (C)	Headley	Merrill	Williams
Collins (W)	Higginbotham	Money	Wood
Cook (Jefferson)	Hill	Nettles	Wright
Crawford	Hobbie	Owen (Baldwin)	Yeilding
Culver	Holman	Owens (W)	Young
Dill	House		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1459. An act to allow Boards of Education in each city of the State of Alabama having a population of not less than 32,500 nor more than 33,500 according to the last Federal Census or which shall hereafter have such population according to any succeeding Federal Census, to collect a non-resident fee for the attendance by such non-residents or children of any other school district.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Jefferson), the House concurred in and adopted the Senate amendments to the bill, H. 1459, said Senate amendments being as follows:

A BILL
TO BE ENTITLED
AN ACT

An act to allow Boards of Education in each county of the State of Alabama having a population of not less than 600,000 inhabitants according to the last Federal Census or which shall hereafter have such population according to any succeeding Federal Census, to collect a non-resident fee for the attendance by such non-residents or children of any other school district.

Be It Enacted by the Legislature of Alabama:

Section One: All Boards of Education in any county having a population of not less than 600,000 inhabitants according to the last federal census or which shall hereafter have such population according to any succeeding federal census shall have the right to charge non-resident fees to children attending their schools and not residing within the boundaries of the school district.

Section Two: All laws or parts of laws which may be in conflict with or inconsistent with the provisions of this Act are hereby repealed.

Section Three: This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Amend the Senate Substitute for HB 1459 as follows:

1. Change to a semicolon the period at the end of the title and add the following to the title:

"provided, that this Act shall not apply to any Board of Education located in any such county and having jurisdiction over the public schools located in a school district having a population of not less than 10,000 inhabitants or more than 15,000 inhabitants, according to the last federal census or any succeeding federal census."

2. Change to a semicolon the period at the end of Section 1 and add the following to the said Section:

"provided, that this Act shall not apply to any Board of Education located in any such county and having jurisdiction over the public schools located in a school district having a population of not less than 10,000 inhabitants or more than 15,000 inhabitants, according to the last federal census or any succeeding federal census."

Yeas 59; Nays 4.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Pearson	
Agee	Ellis	Kilgore	Perloff	
Bassett	Fine	Lemley	Pruitt	
Berryman (W)	Foshee	Lyons	Robertson	
Blanton	Garrett	Manley	Sessions	
Brannan	Graham	Marr	Springer	
Burgess	Grainger	Mays	Stembridge	
Collier	Grayson	Meade	Stubbs	
Collins (C)	Hain	Meeks	Tuck	
Collins (W)	Hardin	Melton	Turnham	
Cook (Jefferson)	Harper	Money	Williams	
Crawford	Headley	Nettles	Wood	
Culver	Higginbotham	Owen (Baldwin)	Wright	
Dill	Holman	Owens (W)	Young	
Downing	House	Paulk		—59

Nays:

Messrs.:				
Bowers	Gafford	Gloor	Jackson (T)	
				—4

And said bill, H. 1459, as thus amended:

H. 1459. An Act to allow Boards of Education in each county of the State of Alabama having a population of not less than 600,000 inhabitants according to the last Federal Census or which shall hereafter have such population according to any succeeding Federal Census, to collect a non-resident fee for the attendance by such non-residents or children of any other school district; provided, that this Act shall not apply to any Board of Education located in any such county and having jurisdiction over the public schools located in a school district having a population of not less than 10,000 inhabitants or more than 15,000 inhabitants, according to the last federal census or any succeeding federal census.

Was again read a third time at length and passed.

Yeas 59; Nays 4.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Pearson	
Agee	Ellis	Kilgore	Perloff	
Bassett	Fine	Lemley	Pruitt	
Berryman (W)	Foshee	Lyons	Robertson	
Blanton	Garrett	Manley	Sessions	
Brannan	Graham	Marr	Springer	
Burgess	Grainger	Mays	Stembridge	
Collier	Grayson	Meade	Stubbs	
Collins (C)	Hain	Meeks	Tuck	
Collins (W)	Hardin	Melton	Turnham	
Cook (Jefferson)	Harper	Money	Williams	
Crawford	Headley	Nettles	Wood	
Culver	Higginbotham	Owen (Baldwin)	Wright	
Dill	Holman	Owens (W)	Young	
Downing	House	Paulk		—59

Nays:

Messrs.:				
Bowers	Gafford	Gloor	Jackson (T)	—4

MOTION TO BRING UP S. 583

On motion of Mr. Harris, the rules were suspended and permission granted to bring up out of order the bill, S. 583.

And the bill:

S. 583. To provide for the participation of the State of Alabama in the Compact for Education; providing for a designation of its membership, purpose, powers and to make an appropriation therefor.

Was read a third time at length and passed.

Yeas 51; Nays 10.

Yeas:

Mr. Speaker	Ellis	Lemley	Pruitt	
Agee	Fine	Manley	Robertson	
Beck	Foshee	Mays	Smith	
Blanton	Garrett	McCorquodale	Springer	
Bowers	Graham	McDonald	Stembridge	
Brannan	Grainger	Meade	Stubbs	
Burgreen	Hain	Meeks	Tuck	
Collins (C)	Harper	Melton	Turnham	
Crawford	Harris	Money	Williams	
Culver	Headley	Owen (Baldwin)	Wood	
Downing	Higginbotham	Owens (W)	Wright	
Drake	Hobbie	Paulk	Young	
Edington	Jackson (F)	Pearson		—51

Nays:

Messrs.:	Gafford	Hardin	Marr	
Collins (W)	Gloor	Jackson (T)	Perloff	
Dill	Grayson	Lyons		—10

MOTION TO BRING UP S. 369

On motion of Mr. Collins (W), the rules were suspended and permission granted to bring up out of order the bill, S. 369.

And the bill:

S. 369. Relating to state colleges and universities; authorizing and providing for appointment of police officers to maintain law and order at such institutions.

Was read a third time at length and passed.

Yeas 67; Nays 0.

Yeas:

Mr. Speaker	Drake	House	Pearson
Adwell	Ellis	Jackson (F)	Perloff
Agee	Fine	Jackson (T)	Pruitt
Bassett	Foshee	Lemley	Robertson
Beck	Garrett	Lyons	Sessions
Blanton	Gloor	Manley	Starnes
Brannan	Graham	Marr	Stembridge
Burgreen	Grainger	Mays	Stubbs
Cherner	Grayson	McCorquodale	Tuck
Collier	Hain	McDonald	Turnham
Collins (C)	Hardin	Meade	Waggoner
Collins (W)	Harper	Melton	Williams
Cook (Jefferson)	Harris	Money	Wood
Crawford	Headley	Nettles	Wright
Culver	Higginbotham	Owen (Baldwin)	Yeilding
Dill	Hill	Owens (W)	Young
Downing	Holman	Paulk	—67

MOTION TO BRING UP S. 288 LOST

The motion of Mr. Cameron to suspend the rules and bring up out of order the bill, S. 288, was lost.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1504. To amend Section 8 and to further amend Sections 3, 6 and 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, entitled "An Act to provide a separate Retirement and Relief System for certain of the presently active employees of the City of Birmingham who entered the service of the Police Department of said City prior to September 19, 1939, and to whom is applicable the Pension and Relief System provided by Act No. 502 of the Regular Session of the Legislature of 1923, as reenacted and amended: to include in said separate System dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents."

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Jefferson), the House concurred in and adopted the Senate amendment to the bill, H. 1504, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

TO AMEND SECTION 8 AND TO FURTHER AMEND SECTIONS 3, 6 AND 7 OF ACT NO. 470 OF THE REGULAR SESSION OF THE LEGISLATURE OF ALABAMA OF 1955, APPROVED SEPTEMBER 9, 1955, ENTITLED "AN ACT TO PROVIDE A SEPARATE RETIREMENT AND RELIEF SYSTEM FOR CERTAIN OF THE PRESENTLY ACTIVE EMPLOYEES OF THE CITY OF BIRMINGHAM WHO ENTERED THE SERVICE OF THE POLICE DEPARTMENT OF SAID CITY PRIOR TO SEPTEMBER 19, 1939, AND TO WHOM IS APPLICABLE THE PENSION AND RELIEF SYSTEM PROVIDED BY ACT NO. 502 OF THE REGULAR SESSION OF THE LEGISLATURE OF 1923, AS REENACTED AND AMENDED; TO INCLUDE IN SAID SEPARATE SYSTEM DEPENDENTS OF SAID PRESENTLY ACTIVE EMPLOYEES; AND TO RENDER SAID ACT NO. 502 INAPPLICABLE TO SAID CERTAIN PRESENTLY ACTIVE EMPLOYEES AND THEIR DEPENDENTS".

Be It Enacted by the Legislature of Alabama:

Section 1. That Section 3 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, as heretofore amended, be and the same is hereby further amended to read as follows:

"Section 3. Contributions by Members of the System. (a) As herein used the following terms have the meanings hereby ascribed to them: 'general employees system' means the pension system established by Act No. 929 of the Regular Session of 1951 (Ala. Acts, 1951, p. 1579, et seq.); 'general employees system fund' means the pension fund of the general employees system; 'Act 929' means Act No. 929 above mentioned. (b) The members of the system shall make to the Treasury of the City the contributions prescribed by subsections (c), (d), (e) and (f) below, unless there is a change of the contributions Section 9 of Act 929, as amended, requires members of the general employees system to make to the general employees system fund. In the event of such change, the provisions of subsection (i) below shall govern the amount of contributions the members of the system shall make to the Treasury. (c) At the end of each payroll period ending subsequent to October 1, 1955, the city shall deduct from the salary of each member of the system an amount equal to six per centum (6%) of his salary for such payroll period, provided, however, that for the purpose of such deductions pursuant to the provisions of this section no member of the system shall be deemed to earn or to have earned salary at a rate in excess of four hundred dollars ($400.00) per month. The proviso of the next preceding sentence, hereinafter referred to as the 'four hundred dollars proviso', shall not have any past or future application to any member of the system who shall be or shall have become subject to the five hundred dollar limitation under or in accordance with the provisions of subsection (c), or subject to the provisions of subsections (d) or (e) of this section. For the purpose of deductions from salary, a member of the system who shall be or shall have been a member of the system at September 1, 1957, and who shall not elect or shall not have elected in the manner and within the time hereinafter provided to remain subject to said four hundred dollar proviso, shall be deemed to earn or to have earned, at all past and future times, while a member of the system, salary at

his actual rate of salary, but in no event at a rate in excess of five hundred dollars ($500) per month, except as hereinafter in this section provided. The aggregate of monthly deficiencies of deductions from salary of any such member of the system during the period from October 1, 1955 (the effective date of this act) to September 1, 1957, resulting from the operation of the next preceding sentence, together with interest on each such monthly deficiency from the time such deficiency is deemed to have occurred to September 1, 1957, at the rate of three and three-tenths per centum (3.3%) per annum, shall constitute a liability of such member the system to the city as of September 1, 1957. The amount of said deficiency and interest liability shall be the sum of the following: six per centum (6%) of the excess of salary of such member of the system over four hundred dollars ($400) and not over five hundred dollars ($500) for each month between October 1, 1955 and September 1, 1957, being the deficiency of deduction for each month between October 1, 1955 and September 1, 1957, plus interest on each of the aforesaid deficiencies from the end of the month for which computed to September 1, 1957, at the rate of three and three-tenths per centum (3.3%) per annum. Said deficiency and interest liability shall bear interest from September 1, 1957 at the rate of six per centum (6%) per annum. At the end of each payroll period ending after September 1, 1957, the city, in addition to deductions from salary hereinabove provided for, shall deduct from the salary of such member of the system for each such payroll period ending after September 1, 1957 an amount equal to five per centum (5%) of such deficiency and interest liability, together with interest thereon at the rate of six per centum (6%) per annum from September 1, 1957 until such deficiency and interest liability, together with interest thereon, has been fully paid and discharged. Any member of the system subject to or burdened with such deficiency and interest liability or balance thereof may pay and discharge the same by direct payment to the city of the amount thereof, but if such deficiency and interest liability, with any interest thereon, be not paid or discharged in one or more of the manners hereinabove provided, it shall be paid or discharged as provided in Section 12. Any member of the system who shall be or shall have been a member of the system at September 1, 1957 may file with the comptroller at any time within fifteen (15) days after September 1, 1957 a written declaration to the effect that he elects to remain subject to the aforesaid four hundred dollar proviso, and in the event he so files such declaration he shall remain subject to said four hundred dollar proviso, and the sentences of this subdivision (c) preceding this sentence shall have no application to him. (d) For the purpose of deduction from salary, a member of the system who shall be or shall have been such member on or after September 1, 1966, shall be deemed to earn at all times subsequent to said September 1, 1966, and prior to September 1, 1969, salary at his actual rate of salary, but in no event at a rate in excess of five hundred dollars ($500) per month plus one-half (½) of his actual rate of salary in excess of such $500. (e) Any employee member of the system who shall be or shall have been such member on or subsequent to September 1, 1966, and who shall have earned in excess of $500 actual salary during any month prior to said September 1, 1966 for which no deduction was made from that amount of salary in excess of $500, may elect to pay into the Treasury for any one or more such months an amount equal to six per cent (6%) of one-half (½) of that part of such actual salary paid such employee member in excess of $500 in any such month, plus interest on such payment at the rate of four per cent (4%) per annum from the date of payment of the salary upon which such six per cent (6%) payment is based. Upon payment into the Treasury of any amount provided for in this subsection (e), such member shall be entitled to have considered that amount of salary upon which such deductions and payments were made in computing his final average salary. No such member shall be entitled to

take advantage of the election provided in this subsection (e) subsequent to September 1, 1967, or subsequent to the time he has ceased to be an active employee of the city. (f) At the end of each payroll period ending subsequent to September 1, 1969, the city shall deduct from the salary of each member of the system an amount equal to six per centum (6%) of his actual salary for such payroll period. (g) Any employee member of the system who shall be or shall have been such member on or subsequent to September 1, 1969, and who shall have earned actual salary during any month prior to September 1, 1969 for which deductions or payments into the Treasury as hereinabove provided were not made based on the full amount of such actual salary, may elect to pay into the Treasury for any one or more such months an amount equal to six per cent (6%) of that part of such actual salary paid to such employee in any such month for which no deductions or payments were made, plus interest at the rate of four per cent (4%) per annum from the date of payment of the salary upon which such six per cent (6%) payment is based. Upon payment into the Treasury of any amount provided for in this subsection (g), the employee member shall be entitled to have considered that amount of salary upon which such deductions and payments were made in computing his final average salary. No employee member shall be entitled to take advantage of the election provided in this subsection (g) subsequent to September 1, 1970, or subsequent to the time he has ceased to be an employee member. (h) The city shall promptly pay each and every deduction and direct payment in this section hereinabove provided for into the general Treasury of the city (herein referred to as 'the Treasury'), and such deduction or direct payment, less, however, so much, if any thereof, as shall be interest, whether at the rate of three and three-tenths per centum (3.3%) per annum, or at the rate of six per centum (6%) per annum, or at the rate of four per centum (4%) per annum, shall be known as a contribution of the member of the system to the Treasury. The comptroller is specifically charged with the duty of making such deductions from salaries and receiving such direct payments and of paying into the Treasury all amounts so deducted or received. All such amounts so paid into the Treasury shall become and be part of the funds and assets of the Treasury. The comptroller, however, shall keep a separate account of such amounts so paid into the Treasury of contributions of the members of the system to the Treasury, of all disbursements made pursuant to the provisions of this Act, and of all prior service time and paid membership time of members of the system. In the adjudication of claims under this Act, the records of the comptroller made and kept for the purposes of this Act shall be deemed, prima facie, to speak the truth. (i) The rates at which this Section 3 requires, and will require, members of the system to make contributions to the Treasury of the City shall always be the same rates of contributions required of members of the general employees system, in respect to the general employees system fund, by Section 9 of Act 929, as said Section 9 is now written, or as said section may be hereafter amended."

Section 2. That Section 6 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, as heretofore amended, be and the same is hereby further amended to read as follows:

"Section 6. Retirement Allowances. (a) Any member of the system who shall be now or hereafter of the age of sixty or more years, and who shall have now or hereafter accumulated fifteen or more years of creditable time, or any member of the system who, regardless of age, shall have now or hereafter accumulated twenty-five or more years of creditable time, shall be entitled to voluntarily retire from the service and obtain a retirement allowance, and if, being so entitled to voluntarily retire or be involuntarily retired from the service, he shall be entitled to a monthly retirement allowance from the Treasury as here-

inafter in this subsection (a) of this section specified. The monthly amount which shall be allowed any member of the system who shall be entitled to a retirement allowance under this subsection of this section shall be one and fifty-nine one hundredths per centum (1-59/100%) of his final average salary multiplied by such number of years of his creditable time as shall not exceed twenty-five years of his creditable time, plus four per centum (4%) of his final average salary multiplied by the number of years of his creditable time in excess of twenty-five years of his creditable time, but in no event shall such monthly retirement allowance exceed fifty-three and three-fourths per centum (53-¾%) of his final average salary. The amount of any retirement allowance under this subsection of this section shall commence to accrue at date of retirement. (b) Any member of the system who shall not be entitled to voluntarily retire and obtain a retirement allowance under subdivision (a) of this section, and who may be involuntarily retired after having accumulated twenty years of creditable time, shall be entitled to a monthly retirement allowance from the Treasury equal to one and fifty-nine one-hundredths per centum (1-59/100%) of his final average salary multiplied by the number of years of his creditable time, but in no event shall such monthly retirement allowance exceed fifty-three and three-fourths per centum (53-¾%) of his final average salary. Anything hereinabove to the contrary notwithstanding, no retirement allowance shall be made or paid under this subdivision of this section to any person under sixty years of age unless, within sixty days after date of involuntary retirement or dismissal of such person the personnel board or other agency governing tenure of service of employees of the city shall certify that such employee has not contributed by his own fault or misconduct to his separation. (c) The Board may treat the end of the payroll period next before actual date of retirement of a member of the system as the date of his retirement for purposes of computation, and for such purposes may disregard a fraction of a year of creditable time less than one-fourth (¼th). (d) Subject to the provisions of subdivisions (e) and (f) of this section, the amount of any retirement allowance which may have commenced to accrue in accordance with the provisions of this Act shall continue to accrue throughout the life of such person. (e) If, after any person shall have retired or been retired as hereinabove in this section provided, and the amount of his retirement allowance shall have commenced to accrue, he should be re-employed in the service, he shall again become a member of the system under the terms of this Act and shall again contribute to the Treasury as in the case of any other member of the system, and accrual of the amount of his retirement allowance shall be suspended during the period of his renewed employment in the service, and upon any subsequent voluntary or involuntary retirement from the service the amount of his former retirement allowance shall again commence to accrue at the same rate as formerly, and he shall be entitled to allowance of such additional amount, if any, as his additional paid membership time may have earned for him. (f) In the event of the death of any retired beneficiary in whose favor a monthly retirement allowance is accruing, or in the event of the death of any employee member entitled prior to his death to voluntarily retire and obtain a retirement allowance under subsection (a) of this Section 6, his spouse and child, or children, shall be entitled to a monthly allowance in the amount hereinafter specified in this subsection (f), subject to the conditions and limitations herein stated. No spouse shall receive any benefit under this subsection (f) unless such spouse was married to the deceased employee for at least five consecutive years while he was employed in the service of the city. No spouse shall be entitled to receive such benefit for any period following remarriage. No benefit shall be payable under this subsection (f) to a married child, or to a child over eighteen (18) years of age unless he is attending school, or to any child over twenty-one (21) years of age. A child shall be deemed to be attending school during his vacation between school terms, pro-

vided he attended school during the next preceding term and expects to return to school when the next term commences. The benefit payable under this subsection (f) shall be an amount equal to forty per centum (40%) of the retirement allowance the deceased employee was receiving when he died, or forty per centum (40%) of the monthly retirement allowance he would have been entitled to receive had he retired immediately before his death. Such benefit shall be payable to the deceased employee's spouse, or child or children, in the following order: (1) to the spouse; and (2) if there is no spouse eligible to receive the benefit, then to the child or children of the deceased employee, if any. If the spouse is ineligible to receive the benefit, or having commenced to receive it becomes ineligible to continue receiving it, the benefit shall be paid to the child or children on the conditions prescribed. If two or more children are simultaneously entitled to receive the benefit, it shall be divided equally among the children so entitled. (g) If a member of the system be killed in the line of his duty his spouse, and child or children, shall be entitled to a monthly allowance in the amount and order herein specified in this subsection (g), subject to the conditions and limitations herein stated. All of the limitations and prohibitions prescribed in subsection (f), next above, in respect to the payment of a benefit to a spouse, or child or children, shall apply to the payment of such benefit to a spouse or child under this subsection (g); provided, however, that the benefit provided for by this subsection (g) shall be payable without regard to the time during which the marriage between the deceased employee and such spouse existed.

"The benefit payable under this subsection (g) shall be payable to the classes named in the following order and in the following amounts: (1) to the employee's spouse, forty per centum (40%) of the final average salary of such employee. In addition, the spouse shall receive a monthly allowance of ten per centum (10%) of such average salary for each child of such deceased employee; provided, however, that payment of any benefit to the spouse on account of any child shall be subject to all restrictions above imposed with respect to payment to a child; and provided, further, that the total amount of monthly allowance payable to the spouse for the spouse and for the children shall not exceed fifty per centum (50%) of the final average salary of the deceased employee. (2) If there is no eligible spouse, then there shall be paid to such deceased employee's child or children an amount equal to forty per centum (40%) of the deceased employee's final average salary. In such case the monthly allowance provided hereby for any child of such deceased employee shall be payable to the legal guardian of or to the person who has custody of said child for the use and benefit of said child, provided, however, that if such child may legally accept payment of such allowance, it shall be paid to him. (h) The amount of a surviving spouse's allowance provided for in (f) and (g) above shall commence to accrue at the death of the deceased spouse and shall continue to accrue until the surviving spouse's death or remarriage, whichever may first occur. (i) Anything hereinabove to the contrary notwithstanding, any employee member who shall have accumulated in excess of thirty years of creditable time shall be entitled, in addition to the retirement allowance hereinabove provided, to an additional monthly amount equal to one per centum (1%) of his final average salary multiplied by his number of years of creditable time in excess of thirty. (j) The rights of any person heretofore or hereafter retired from the service shall continue to be measured and governed by the terms of the system in effect at the time of such retirement, and should such person die during continuance of such retirement, the rights of the spouse or dependents of such deceased retired person and the rights of any spouse or dependents of any other deceased person, shall be measured and governed by the terms of the system in effect at the time of death of such deceased person, and the foregoing provisions of

this subsection (j) shall control over anything heretofore or hereafter in the system which might be construed to the contrary."

Section 3. That Section 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, as heretofore amended, be and the same is hereby further amended to read as follows:

"Section 7. Disability Allowances. (a) If any member of the system shall become totally disabled, either physically or mentally, to perfrom his customary duties, whether by reason of disease, injury, accident or otherwise, and the provisions of subsection (b) of this section shall not be applicable, then, in the event such total disability shall continue for sixty consecutive calendar days from the commencement thereof, such disabled employee shall be entitled to a monthly allowance from the Treasury equal to one and nineteen twenty-fourths per centum (1-19/24%) of his final average salary multiplied by the number of years of his creditable time, such monthly allowance, however, not to exceed forty per centum (40%) of his final average salary, and the amount of such disability allowance to commence to accrue at the expiration of sixty calendar days after commencement of such total disability and to continue to accrue until such time as such person is no longer totally disabled to perform his customary duties or substantially comparable duties. An allowance under this subsection of this section shall be known as an 'Ordinary Disability Allowance'. (b) If a member of the system shall become totally disabled, either physically or mentally, to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service, and occurring at a definite time and place, then in the event such total disability shall continue for sixty consecutive calendar days from commencement thereof, such disabled person shall be entitled to a monthly disability allowance from the Treasury equal to sixty per centum (60%) of that amount of his monthly salary from which deductions are being made hereunder at the time of the accident resulting in such total disability, the amount of such total disability allowance to commence to accrue at the expiration of such sixty consecutive calendar days after commencement of such total disability and to continue to accrue until such time as such person is no longer totally disabled by such injury to perform his said customary duties, or substantially comparable duties. An allowance made under this subdivision of this section shall be known as an 'Extraordinary Disability Allowance', but no disability allowance shall be made by the board under this subdivision of this section after twelve months after the accident resulting in such disability, or if such accident occurred while the disabled person was employed by another than the city. No disability allowance shall be treated as an extraordinary disability allowance unless the resolution by which it is made contains the specification that it is an extraordinary disability allowance, and unless such resolution be passed within twelve months after the accident resulting in disability. In the event that an extraordinary disability beneficiary should become separated from the service during continuance of total disability, and such total disability from such injury should thereafter cease, the board may in its discretion continue him on the disability roll until such time as in the judgement of the board he should be able to find suitable employment at a rate of pay equal to the rate of his disability allowance. Hypertension, heart disease or respiratory disease shall not be considered as caused by accident so as to entitle an employee member to an extraordinary disability allowance, and no employee member or any person claiming under or by reason of relationship to an employee member shall be entitled to an extraordinary disability allowance as a result of disability caused by hypertension, heart disease or respiratory disease, any other law, general or local, to the contrary notwithstanding. (c) No disability allowance shall be made by the

board until after satisfactory proof has been made to the board of total disability by certificate of at least one licensed and practicing physician or surgeon. The board shall have power to require certificates of more than one such physician or surgeon and such further proof of total disability as it may reasonably deem necessary. The board may from time to time require further such certificates and other proof to determine whether total disability still exists. No disability pay shall be allowable or paid to any person for any period for which such person is due or has been paid any salary from or by the city. (d) Resumption of active duty by a member of the system after cessation of active duty on account of total disability shall be conclusive evidence of termination of such total disability for the purposes of this Act, and any subsequent cessation of active duty on account of total disability, whether by reason of the same or different cause, shall be treated as a new disability; provided, however, that if one who has become totally disabled to perform his customary duties by reason of personal injury received as a result of an accident arising out of and in the course of his employment in the service, and occurring at a definite time and place, should resume active duty within a time limit of twelve months after the accident resulting in total disability, and for trial period or periods not exceeding an aggregate of one hundred eighty days within such time limit of twelve months after such accident, then such resumption or resumptions of active duty shall not be conclusive evidence of termination of total disability and such one shall not be prevented by such resumption or resumptions of active duty from showing that total disability resulting from such accident exists, or still continues, if such be the case. (e) If any disability beneficiary should become separated from the service and withdraw his contributions, or any amount payable under Section 11, his right to continuance of disability benefits shall immediately cease. (f) For the purpose of computing disability pay, an employee shall be deemed to earn or to have earned salary at the same rate of salary as that which he shall be deemed to earn or to have earned salary for the purpose of deductions from salary under Section 3. (g) The board shall have authority to award an extraordinary disability allowance to any member brought under this act by amendment, even though the accident which caused such disability occurred prior to the effective date of such amendment under the provisions of this section as if such new member had been a member of the system at the time of such accident, and provided further that such accident shall not have occurred more than twelve months prior to the effective date of such amendment. (h) Anything herein to the contrary notwithstanding, a disability allowance based on disability commencing prior to September 1, 1969 shall be payable at the rate provided for by statute in effect at the time of the commencement of such disability."

Section 4. That Section 8 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, be and the same is hereby further amended to read as follows:

"Section 8. Reduction of Allowances. Any amount otherwise payable pursuant to the provisions of this Act to any beneficiary for any month or part thereof, on account of retirement or disability, shall be reduced by the amount, if any, paid or payable by the city to such beneficiary for the same month or part thereof on account or by reason of employment of said beneficiary during such month as an employee of the city.

Section 5. This Act shall become effective upon its approval by the Governor, or upon its otherwise becoming a law.

Yeas 65; Nays 0.

Yeas:

Messrs.:	Ellis	House	Owens (W)
Adwell	Fine	Jackson (F)	Paulk
Agee	Foshee	Jackson (T)	Pearson
Beck	Gafford	Kilgore	Perloff
Blanton	Garrett	Lemley	Robertson
Bowers	Gloor	Lyons	Sessions
Brannan	Graham	Manley	Stembridge
Brassell	Grainger	Marr	Stubbs
Burgess	Grayson	Mays	Tuck
Burgreen	Hain	McCorquodale	Turnham
Cherner	Hardin	Meade	Waggoner
Collier	Harper	Meeks	Williams
Cook (Jefferson)	Harris	Melton	Wood
Crawford	Headley	Money	Wright
Dill	Higginbotham	Nettles	Yeilding
Downing	Hobbie	Owen (Baldwin)	Young
Drake	Holman		

—65

MOTION TO BRING UP S. 720

On motion of Mr. Agee, the rules were suspended and permission granted to bring up out of order the bill, S. 720.

And the bill:

S. 720. To authorize county and city boards of education to use certain portions of federal funds allocated pursuant to Title 1 for part payment of the salaries and expenses of certain county and city superintendents of education, and to provide for the determination of such proportionate amounts.

Was read a third time at length and passed.

Yeas 56; Nays 0.

Yeas:

Mr. Speaker	Fine	Jackson (T)	Owens (W)
Agee	Foshee	Kilgore	Paulk
Beck	Garrett	Laxson	Pearson
Blanton	Gloor	Lemley	Perloff
Brannan	Grayson	Lyons	Robertson
Brassell	Hain	Manley	Smith
Burgreen	Harper	Marr	Starnes
Cameron	Harris	Mays	Stembridge
Collier	Headley	McCorquodale	Stubbs
Cook (Jefferson)	Higginbotham	Meeks	Tuck
Dill	Hobbie	Melton	Turnham
Downing	Holman	Money	Waggoner
Drake	House	Nettles	Williams
Ellis	Jackson (F)	Owen (Baldwin)	Wood

—56

MOTION TO BRING UP S. 104, S. 105 AND S. 106 LOST

The motion of Mr. Smith to suspend the rules and bring up out of order the bills, S. 104, S. 105 and S. 106, was lost.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1463. To fix the compensation or salaries of Circuit Clerk in Counties of 600,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Jefferson), the House concurred in and adopted the Senate amendment to the bill, H. 1463, said Senate amendment being as follows:

Amend Section 1 of House Bill 1463 by deleting the words and figures "Fourteen Thousand Five Hundred Dollars ($14,500.00) in substituting in lieu thereof the following words and figures:

"Sixteen Thousand Dollars ($16,000.00)

Yeas 61; Nays 0.

Yeas:

Mr. Speaker	Fine	Jackson (F)	Owen (Baldwin)
Adwell	Foshee	Kilgore	Owens (W)
Agee	Garrett	Lemley	Paulk
Bassett	Gloor	Lyons	Pearson
Blanton	Graham	Manley	Perloff
Bowers	Grainger	Marr	Robertson
Brannan	Grayson	Mays	Smith
Brassell	Hain	McCorquodale	Starnes
Burgreen	Hardin	McDonald	Stubbs
Cherner	Harper	McElhaney	Tuck
Collier	Harris	Meade	Waggoner
Cook (Jefferson)	Headley	Meeks	Williams
Dill	Higginbotham	Melton	Wood
Downing	Holman	Money	Wright
Drake	House	Nettles	Yeilding
Ellis			

—61

MOTION TO BRING UP S. 807 LOST

The motion of Mr. Hill to suspend the rules and bring up out of order the bill, S. 807, was lost.

Yeas 44; Nays 21.

Yeas:

Messrs.:	Fine	Malone	Robertson
Agee	Graham	Manley	Sessions
Bassett	Grainger	Marr	Slate
Brannan	Grayson	Mays	Smith
Brassell	Hardin	McDonald	Stembridge
Burgess	Harris	McElhaney	Stubbs
Burgreen	Headley	McLain	Tuck
Cameron	Higginbotham	Meeks	Turnham
Collins (W)	Hill	Melton	Wood
Doss	Jackson (F)	Pearson	Wright
Downing	Jackson (T)	Perloff	Young
Drake			

—44

Nays:

Mr. Speaker	Dill	Hain	Nettles
Adwell	Ellis	Holman	Owens (W)
Blanton	Gafford	Kilgore	Starnes
Bowers	Garrett	Lemley	Williams
Cherner	Gloor	Lyons	Yeilding
Collins (C)			—21

MOTION TO BRING UP S. 256 LOST

The motion of Mr. Marr to suspend the rules and bring up out of order the bill, S. 256, was lost.

Yeas 41; Nays 16.

Yeas:

Messrs.:	Downing	McElhaney	Robertson
Agee	Drake	McLain	Smith
Blanton	Foshee	Melton	Springer
Brannan	Grainger	Nettles	Stembridge
Brassell	Grayson	Owen (Baldwin)	Stubbs
Burgess	Hardin	Owens (W)	Tuck
Burgreen	Higginbotham	Paulk	Turnham
Cherner	Jones	Pearson	Wood
Collins (C)	Manley	Pennington	Wright
Collins (W)	Marr	Perloff	Yeilding
Dill	Mays		—41

Nays:

Mr. Speaker	Fine	Hobbie	Lemley
Adwell	Gafford	Holman	Malone
Cook (Jefferson)	Garrett	Jackson (T)	McDonald
Ellis	Graham	Kilgore	Starnes
			—16

MOTION TO BRING UP S. 162 AND S. 163 LOST

The motion of Mr. Cameron to suspend the rules and bring up out of order the bills, S. 162 and S. 163, was lost.

Yeas 42; Nays 16.

Yeas:

Mr. Speaker	Drake	Lemley	Smith
Agee	Fine	Lyons	Starnes
Bank	Graham	Mays	Stembridge
Blanton	Grainger	McElhaney	Stubbs
Brannan	Hain	Melton	Tuck
Brassell	Hardin	Owen (Baldwin)	Turnham
Burgess	Harris	Owens (W)	Williams
Cameron	Headley	Paulk	Wood
Collins (C)	Higginbotham	Pearson	Wright
Dill	Hobbie	Robertson	Young
Downing	Jackson (F)		—42

Nays:

Messrs.:	Garrett	House	Marr
Adwell	Gloor	Jackson (T)	Meeks
Burgreen	Grayson	Kilgore	Perloff
Ellis	Holman	Malone	Yeilding
Gafford			—16

MOTION TO BRING UP S. 256 LOST

The motion of Mr. Springer to suspend the rules and bring up out of order the bill, S. 256, was lost.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1466. To create a Local Government Commission in each county in the State having a population of 600,000 or more, according to the 1960 or any succeeding decennial Federal census, to provide for the membership, organization, functions, powers and duties of such Commission, to provide for the financing of such Commission's work by appropriation from the County and each municipality therein, and the receipt by the Commission of donations, to provide for the submission of recommended municipal mergers, annexations or changes in form of government to a vote of the qualified voters affected thereby, and in the event of a favorable vote, the effectuation of such mergers, annexations or changes in form of government, and to provide for advisory referenda.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Jefferson), the House concurred in and adopted the Senate amendment to the bill, H. 1466, said Senate amendment being as follows:

Amend Section 8 by striking the first sentence to and including the phrase "any one or more of the following proposals" and inserting the following:

"Section 8. The Commission shall, after due study and such public hearings thereon as it considers necessary or desirable, thereafter formulate and cause to be submitted to an election of the qualified electors in the areas affected and hereinafter more specifically designated, and in such manner as the Legislature may hereafter provide, any one or more of the following proposals:

Yeas 45; Nays 9.

Yeas:

Mr. Speaker	Drake	Hobbie	Owens (W)
Agee	Ellis	Holman	Paulk
Beck	Fine	House	Perloff
Berryman (W)	Garrett	Lemley	Sessions
Brannan	Gloor	Manley	Stubbs
Brassell	Graham	Marr	Tuck
Burgreen	Grainger	Meade	Turnham
Collier	Hain	Money	Williams
Cook (Jefferson)	Hardin	Nettles	Wood
Dill	Harris	Neville	Wright
Downing	Headley	Owen (Baldwin)	Young

—45

Nays:

Messrs.:	Cameron	Grayson	Kilgore
Adwell	Cherner	Jackson (T)	Meeks
Bowers	Gafford		

—9

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 378. To provide for the delineation and designation of state planning and development districts and to authorize the governing bodies of counties and municipalities to establish regional planning and development commissions compatible with such state districts.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 760. To create a junior college board; to repeal conflicting laws.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 277. To amend Code of Alabama 1940, Title 22, Sections 37 and 42; Provision of blanks by the state registrar, issue of instructions, examination of certificates, and securing of additional information to complete the records, prescribed; increasing the fees for record and statistical services and appropriating fee receipts for operation of the vital statistics system.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 168. Paying tribute to Mr. Joseph Brandly Converse of Selma, Alabama by naming Big Creek Lake in Mobile Lake Converse.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 146. To authorize a qualification fee for all candidates in municipal elections held in this state, prescribing the manner and time of the fixing of such fees and imposing a limit in the amount thereof.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

H. 213. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12(2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 29, Nays 0.

And said Bill, H.B. 213, as thus amended by the Executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 24, Nays 0.

And said Bill, H.B. 213, as thus amended by the Executive Amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the House amendment to the following Senate Bill:

S. 80. To amend further Act No. 47, Special Session 1961, approved September 15, 1961 (Acts 1961, v. 2, p. 1904), which Act exempts certain religious, benevolent and civic institutions and organizations from taxation and licenses, so as to grant exemptions to Boys' Ranch, the North Alabama T. B. Association, and the Eufaula Heritage Association.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

H. 682. To create and establish in Limestone County in lieu of the existing court created by Act No. 199, H. 603, Regular Session 1947 (Local Acts 1947, p. 113) and amendments thereto, a court of record with county-wide limited jurisdiction of criminal cases and civil actions at law and equity to be known as the Limestone County Superior Court; to provide for its procedure, costs and fees; to provide for its officers, their duties, power and compensation, and to provide for the transfer of cases.

by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. 682, as thus amended by the Executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H.B. 682, as thus amended by the Executive Amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

H. 823. Changing and extending the corporate limits of the Town of Collinsville, DeKalb County, Alabama.

by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. 823, as thus amended by the Executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H.B. 823, as thus amended by the Executive Amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MOTION TO RECONSIDER H. 1511

Having voted with the prevailing side, Mr. House moved to reconsider the vote by which the House nonconcurred in the Senate amendment to the bill, H. 1511, and requested a Committee of Conference. And the motion was adopted.

MOTION TO CONCUR IN SENATE AMENDMENT

On motion of Mr. House, the House concurred in and adopted the Senate amendment to the bill, H. 1511, said Senate amendment being set forth in a Message from the Senate previously acted on.

Yeas 72; Nays 0.

Yeas:

Messrs.:	Ellis	Lemley	Pennington
Adwell	Fine	Lybrand	Perloff
Agee	Foshee	Lyons	Pruitt
Bassett	Garrett	Mathews	Robertson
Beck	Graham	Mays	Sessions
Berryman (W)	Grainger	McCorquodale	Slate
Blanton	Grayson	McDonald	Snell
Brannan	Hain	McElhaney	Springer
Brassell	Hardin	McLain	Starnes
Burgess	Harper	Meade	Stembridge
Burgreen	Headley	Meeks	Stubbs
Cherner	Higginbotham	Melton	Tuck
Collier	Hobbie	Nettles	Turnham
Collins (C)	Holladay	Owen (Baldwin)	Waggoner
Cook (Jefferson)	Holman	Owens (W)	Williams
Crawford	House	Owens (W.E.)	Wood
Dill	Jones	Paulk	Yeilding
Doss	Laxson	Pearson	Young
Downing			—72

And the bill, H. 1511, as thus amended:

To provide retirement allowances for elected officials and former elected officials of all municipalities of the State having a population of 300,000 or more according to the last and any subsequent federal census.

Was again read a third time at length and passed.

Yeas 72; Nays 0.

Yeas:

Messrs.:	Ellis	Lemley	Pennington
Adwell	Fine	Lybrand	Perloff
Agee	Foshee	Lyons	Pruitt
Bassett	Garrett	Mathews	Robertson
Beck	Graham	Mays	Sessions
Berryman (W)	Grainger	McCorquodale	Slate
Blanton	Grayson	McDonald	Snell
Brannan	Hain	McElhaney	Springer
Brassell	Hardin	McLain	Starnes
Burgess	Harper	Meade	Stembridge
Burgreen	Headley	Meeks	Stubbs
Cherner	Higginbotham	Melton	Tuck
Collier	Hobbie	Nettles	Turnham
Collins (C)	Holladay	Owen (Baldwin)	Waggoner
Cook (Jefferson)	Holman	Owens (W)	Williams
Crawford	House	Owens (W.E.)	Wood
Dill	Jones	Paulk	Yeilding
Doss	Laxson	Pearson	Young
Downing			—72

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

H. 1011. Relating to the City of Troy in Pike County: Authorizing the City of Troy as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting the municipal corporation transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. 1011, as thus amended by the Executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H.B. 1011, as thus amended by the Executive Amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MOTION TO BRING UP S. 549 LOST

The motion of Mr. Robertson to suspend the rules and bring up out of order the bill, S. 549, was lost.

MOTION TO BRING UP S. 489 LOST

The motion of Mr. Hill to suspend the rules and bring up out of order the bill, S. 489, was lost.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

H. 1013. To provide additional revenue in Lee County; levying in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such license tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violations of the Act.

by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. 1013, as thus amended by the Executive amendment, was again read at lengh and passed by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H. 1013, as thus amended by the Executive Amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill:

H. 1118. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Colbert County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collection of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel. To provide further for the distribution of fines and forfeitures in certain cases.

by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H.B. 1118, as thus amended by the Executive amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being Yeas 25, Nays 0.

And said Bill, H.B. 1118, as thus amended by the Executive Amendment, is herewith returned to the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1423. To amend Section 3 of Act No. 584, H. B. 795, Regular Session, 1963, Acts 1963, (P. 1278 et seq), an act relating to the establishment and operation of Regional Planning Commissions in the State of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Downing, the House concurred in and adopted the Senate amendment to the bill, H. 1423, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend section 3 of Act No. 584, H. 795, Regular Session 1963, an act authorizing and providing for establishment of regional advisory planning commissions (Acts 1963, v. 2, p. 1278).

Be It Enacted by the Legislature of Alabama:

Section 1. Section 3 of Act No. 584, H. 795, Regular Session 1963, an act authorizing and providing for regional advisory planning commissions (Acts 1963, v. 2, p. 1278) is hereby amended so as to read as follows:

"Section 3. Composition of Regional Planning Commissions. The membership of any regional planning commission created and established hereunder shall be composed of not less than three representatives of each governmental unit participating in the creation of such. In addition to said minimum representation of three, each governmental unit shall be entitled to appoint one other representative for each fifty thousand (50,000) people residing within the geographical and territorial limits and bounds of such governmental unit, according to the then last preceding federal census. However, any commission in which any county having a population in excess of 600,000 participates shall be constituted as follows: Each governmental unit shall have only one representative, except that any city having a population of more than 300,000 shall have twenty representatives, and each county having a population of more than 600,000 shall have ten representatives; provided further that any Commission in which any County having a population between 300,000 and 500,000 according to the then last preceding federal census participates shall be constituted as follows: Voting representatives from each governmental unit in such number, not less than one for each unit, as shall be agreed between all the governmental units forming the region and participating in the Regional Planning Commission on a basis of representation which will give relatively equal representation to each governmental unit according to percentage of its population and its financial contribution to the cost of the Commission as related to the total population of the region and the total agreed operating cost of the Commission, it being understood that the assessment of operating costs to the member governmental units will be based on the population and area of each such unit as related to the whole population of the region.

Each governmental unit may designate to membership ex officio, and without vote, its chief planning officer or chief engineer, if either it has, but not both of said officials. The voting members of each such planning commission shall be appointed by the respective governing bodies of the respective governmental units participating. No member of any regional planning commission created hereunder shall receive any compensation for his or her services rendered as a member of such regional planning commission, but each such member shall be entitled to receive reimbursement for his or her actual and necessary expenses incurred in the performance of his or her duties as a member of such regional planning commission. Voting members of each regional planning commission created hereunder shall be appointed for terms of four years. The terms of ex officio members shall expire with their incumbency in the offices by virtue of which they shall have been designated to membership on such regional planning commission. Vacancies occurring on any such commission shall be filled by the governing body of the governmental unit previously represented by the latest prior occupant of a particular vacant place on such commission."

Section 2. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

Yeas 54; Nay 1.

Yeas:

Mr. Speaker	Doss	Jackson (T)	Owens (W)
Adwell	Downing	Jones	Owens (W.E.)
Agee	Drake	Lemley	Pearson
Beck	Ellis	Lyons	Perloff
Blanton	Fine	Mays	Pruitt
Brannan	Foshee	McCorquodale	Robertson
Brassell	Garrett	McLain	Sessions
Burgess	Graham	Meade	Slate
Burgreen	Grainger	Meeks	Stubbs
Collier	Grayson	Melton	Turnham
Collins (C)	Hain	Nettles	Williams
Cook (Jefferson)	Harris	Neville	Wood
Crawford	Higginbotham	Owen (Baldwin)	Young
Dill	Holman		—54

Nay: Mr. Brown —1

And said bill, H. 1423, as thus amended:

To amend section 3 of Act No. 584, H. 795, Regular Session 1963, an act authorizing and providing for establishment of regional advisory planning commissions (Acts 1963, v. 2, p. 1278).

Was again read a third time at length and passed.

Yeas 54; Nay 1.

Yeas:

Mr. Speaker	Burgess	Doss	Graham
Adwell	Burgreen	Downing	Grainger
Agee	Collier	Drake	Grayson
Beck	Collins (C)	Ellis	Hain
Blanton	Cook (Jefferson)	Fine	Harris
Brannan	Crawford	Foshee	Higginbotham
Brassell	Dill	Garrett	Holman

Jackson (T)	Meade	Owens (W.E.)	Slate	
Jones	Meeks	Pearson	Stubbs	
Lemley	Melton	Perloff	Turnham	
Lyons	Nettles	Pruitt	Williams	
Mays	Neville	Robertson	Wood	
McCorquodale	Owen (Baldwin)	Sessions	Young	
McLain	Owens (W)			—54

Nay: Mr. Brown —1

MOTION TO ADJOURN SINE DIE LOST

The motion of Mr. Ellis that the House adjourn sine die was lost.

Yeas 26; Nays 36.

Yeas:

Mr. Speaker	Ellis	Jackson (T)	Nettles	
Bassett	Fine	Lyons	Owens (W)	
Blanton	Gafford	Marr	Owens (W.E.)	
Brannan	Hain	McElhaney	Perloff	
Burgreen	Hardin	Meade	Pruitt	
Collier	Harris	Melton	Wood	
Downing	Higginbotham			—26

Nays:

Messrs.:	Drake	Jones	Pearson	
Agee	Foshee	Lemley	Robertson	
Brown	Garrett	Laxson	Springer	
Burgess	Graham	Lybrand	Stembridge	
Cherner	Grainger	Mays	Stubbs	
Collins (C)	Grayson	McCorquodale	Turnham	
Collins (W)	Holman	McLain	Waggoner	
Cook (Jefferson)	House	Meeks	Yeilding	
Crawford	Jackson (F)	Paulk	Young	
Dill				—36

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has concurred in and adopted the following House Joint Resolution and returns same herewith to the House.

H. J. R. 128. Creating a Joint Interim Committee on Revenue to study the modernization of the revenue laws in Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Neville, the House concurred in and adopted the Senate amendment to the resolution, H. J. R. 128, said Senate amendment being as follows:

Amend the next to last paragraph of H. J. R. 128 by deleting $50,000.00 and substituting therefor $10,000.00.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Ellis	Jackson (F)	Money
Agee	Fine	Jackson (T)	Nettles
Bassett	Foshee	Jones	Neville
Berryman (W)	Garrett	Kilgore	Owen (Baldwin)
Blanton	Gloor	Lemley	Owens (W.E.)
Brannan	Graham	Lybrand	Paulk
Brassell	Grainger	Lyons	Pearson
Burgess	Grayson	Manley	Perloff
Burgreen	Hain	Marr	Robertson
Collins (C)	Hardin	Mays	Stembridge
Collins (W)	Harper	McCorquodale	Turnham
Cook (Jefferson)	Harris	McLain	Williams
Crawford	Hill	Meade	Wood
Dill	Holladay	Meeks	Yeilding
Downing	Holman	Melton	Young
Drake	House	Merrill	

—63

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 183. Commending Governor Brewer for his prompt and efficient action to maintain law and order and preserve the safety of the local children of Alabama and the integrity and dignity of the local school system.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has acceded to the request of the House for a new Conference Committee on the disagreement of the two Houses on the House amendment to the Bill:

S. 674. To regulate further the office of sheriff in this State; to prescribe the annual salaries of sheriffs of the several counties of the state classified on a population basis; to provide for operation of the sheriff's office on a salary basis; to provide for and regulate the collection of sheriffs' fees and the payment thereof into the county treasury; to repeal conflicting laws, general, local and special.

And the President and Presiding Officer of the Senate has appointed as Conferees on part of the Senate Messrs. Stone, Lindsey, and Pierce.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 109. WHEREAS, the attorney general of the United States did, without court order, place in Alabama federal examiners to register voters immediately following passage of the Voting Rights Act of 1965, and

WHEREAS, the present attorney general stated in a recent committee appearance in Washington concerning extension of the Voting Rights Act that such examiners were so placed because of refusal of boards of registrars to abide by such act, but in Alabama examiners were put on duty before any boards of registrars held meetings for registration so such placement could not have been and was not on the basis of refusal to abide by the terms of such Act, and

WHEREAS, said federal examiners have not followed state law in qualifying persons to vote, reportedly even registering insane persons and idiots, disqualified by the Alabama Constitution, and

WHEREAS, the Voting Rights Act provides that examiners "shall" be removed when fifty per cent of the non-whites of voting age have been registered in a political subdivision, which situation has been true in Alabama counties affected since April, 1966, but the attorney general has thus far failed and refused to himself obey the Voting Rights Act,

THEREFORE BE IT RESOLVED that the Legislature of Alabama hereby call upon the attorney general of the United States to permanently remove from Alabama all federal examiners as set out to be done by the Voting Rights Act, and that he return the maintenance of voting lists to the boards of registrars so that names of non-residents, dead and convicted may be removed, a task which the federal government has completely ignored, and

BE IT FURTHER RESOLVED that the Governor of Alabama designate the appropriate state agency or agencies to make a comparison of the voter lists of the respective counties so that persons registered two and more times by examiners may be limited to one vote, and

BE IT FURTHER RESOLVED that a copy of this resolution be sent to the President and Vice President of the United States, to the attorney general of the United States and to all members of the Alabama congressional delegation.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The S. J. R. 109 set out in the above and foregoing Message from the Senate was read and referred to the Standing Committee on Rules.

MOTION TO ADJOURN SINE DIE LOST

The motion of Mr. Perloff that the House adjourn sine die was lost.

Yeas 30; Nays 51.

Yeas:

Mr. Speaker	Garrett	Meade	Starnes	
Brannan	Hardin	Nettles	Tuck	
Brassell	Harris	Owens (W)	Watkins	
Burgreen	Higginbotham	Owens (W.E.)	Weeks	
Collier	Holladay	Perloff	Williams	
Ellis	Jackson (T)	Pruitt	Wood	
Fine	Lyons	Snell	Yeilding	
Gafford	McDonald			—30

Nays:

Messrs.:	Dill	Jackson (F)	Merrill
Agee	Downing	Jones	Paulk
Bank	Drake	Kilgore	Pearson
Berryman (W)	Edington	Lemley	Robertson
Blanton	Foshee	Lybrand	Sessions
Brown	Gloor	Malone	Smith
Burgess	Graham	Manley	Springer
Cherner	Grainger	Marr	Stembridge
Collins (C)	Grayson	Mays	Stubbs
Collins (W)	Hain	McCorquodale	Turnham
Cook (Jefferson)	Harper	McLain	Waggoner
Crawford	Holman	Meeks	Wright
Culver	House	Melton	Young

—51

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 220. To amend further Act No. 533, S. 166, approved September 13, 1957, (Acts of Alabama, 1957 Regular Session, page 750), entitled, "An Act to create a Board to be known as the State Board of Registration for Foresters; to provide for the qualification of members of said Board; to provide for the appointment of the members of said Board; to provide for their terms of office; to provide for the organization of said Board; to provide for the powers and duties of said Board; to provide for the registration of Foresters; to provide for the recording of licenses; to provide for the definition of the practice of Forestry; to provide for the revocation of licenses; to provide for fees for the issuance and recording of such licenses; to provide for reciprocity; to create a special fund to be known as the 'Professional Foresters Fund', and to regulate expenditures therefrom; to repeal all laws in conflict with this Act; and to make an appropriation," as amended by Act No. 141, S. 108, approved September 15, 1961, (Acts of Alabama, 1961 Special Session, page 2082).

Also:

S. 252. To amend Act No. 812, H. 1282, Regular Session 1965, which authorizes the designation of voting centers and further provides for and regulates the manner of conducting elections in counties in this state having populations of not less than 300,000 nor more than 500,000 inhabitants according to the most recent federal decennial census.

Also:

S. 393. To amend the Code of Alabama 1940, Title 52, Section 509 (1); providing for the change in the name of The Medical College of Alabama to "The University of Alabama School of Medicine."

Also:

S. 460. To amend Sections 499, 501 and 502 of Chapter 1 of Title 2 of the Code of Alabama of 1940; and to repeal Sections 498 and 500 of Chapter 1 of Title 2 of the Code of Alabama of 1940, all of which relate to chemical laboratory analyses of substances, products and materials by the Department of Agriculture and Industries.

Also:

S. 465. To amend Code of Alabama 1940, Title 37, Section 540, which relates to the power of certain cities, classified according to population, to abate or reduce assessments made for public improvements, in order to make this section applicable to other cities, also classified according to population.

Also:

S. 472. To amend Section 17 of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions, registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration, term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered, establishing exemptions from numbering provisions, requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

Also:

S. 473. To amend Section 3 (1) of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, as amended by Act No. 878, Acts of Alabama 1961, page 1377, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

Also:

S. 474. To amend Section 6 (1) of Act No. 576, Acts of Alabama 1959, page 1442, Volume 2, as amended by Act No. 878, Acts of Alabama

1961, page 1377, entitled, "An Act Relating to the registration of vessels and their operation on the waters of this State and providing for water safety; providing for definitions; registration and identification of vessels used on the waters of this State by the Conservation Department of this State; the enforcement of this act, duties of the director of the State Department of Conservation; fee schedule for vessel registration; term of certificates and registration; establishment of a numbering and identifying system in compliance with Federal Boating Act of 1958 and any subsequent amendment thereto; prohibiting vessel operation when unnumbered; establishing exemptions from numbering provisions; requiring safety equipment; requiring records to be kept by boat liveries; requiring accident reports to be filed with Conservation Department; certain operations of vessels prohibited; prohibition by local regulation of water safety; granting rule making authority to Director of Conservation with limitations as set out in this act; the establishment of license fees on vessels and providing penalties for violation of the provisions of this act; providing for an appropriation of $32,500.00 to the Department of Conservation for the administration of the provisions of this Act and for the transfer of certain monies to the Administrative Division of the Department of Conservation; to provide for the appointment of special agents to sell boat licenses; to repeal all laws in conflict with the provisions of this Act."

Also:

S. 478. To provide for voluntary and temporary or emergency admissions of patients at certain state hospitals and facilities maintained for treatment of the mentally ill, and to repeal conflicting laws.

Also:

S. 515. To amend Code of Alabama 1940, Title 15, Section 277, so as to eliminate the necessity of impaneling a jury in certain criminal cases when the defendant, upon arraignment or prior to trial, pleads guilty.

Also:

S. 517. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an Act providing for appointment and designation of Supernumerary Circuit Judges.

Also:

S. 528. To amend Act No. 551, H. 321, Regular Session 1967 (Acts 1967, Vol. II, p. 1300), an act to establish the Alabama Council on the Arts to change the name of said Council to the Alabama State Council on the Arts and Humanities and to exempt certain employees of the Council from the provisions of the state merit system and to provide for the duties and powers of such Council.

Also:

S. 615. To amend further Section 187 of Title 13, Code of Alabama 1940 in relation to the appointment and compensation of Bailiffs in certain Counties classified according to population.

Also:

S. 617. To provide for and regulate liens for work, labor and materials for installing paving, curbs, gutters, storm sewers, sanitary sewers and other improvements in or on public streets, avenues, alleys and other public ways.

Also:

S. 622. To make an appropriation from the state treasury payable to the Glenn Falls Insurance Company for the relief of Sergeant E. W. Pierce of the highway patrol.

Also:

S. 643. To propose a constitutional amendment relative to levying additional taxes in Talladega County for public school purposes.

Also:

S. 649. To further amend Section 1 of Act No. 87, S. 112, Regular Session of 1961, as amended by Act No. 244, S. 143, Special Session of 1966 (Acts of 1966, Vol. 2, p. 2004, and Acts of 1966, Special Sess. p. 366) "An Act to prescribe the salary or compensation of the Commissioner of Agriculture and Industries."

Also:

S. 664. To make a supplemental appropriation to the Department of Public Safety.

Also:

S. 692. Regulating the practice of radiologic technology, providing for appointment and operation of the Board of Radiologic Technologists Examiners for the State of Alabama; providing for examination and licensing of radiologic technologists; providing for the enforcement of this act; and prescribing penalties and fees.

Also:

S. 712. To provide that any estate in real property may be acquired and held in the name of a partnership or joint venture, to specify the manner in which any estate in real property so acquired and held may be conveyed, and to define certain terms as used herein.

Also:

S. 719. Relating to the practice of barbering in all counties having populations of not less than 110,000 nor more than 160,000, according to the most recent federal decennial census, and having county boards of barber examiners; providing further for the authority and duties of such boards with respect to the licensing of barbers, barbers' apprentices, barber shops, schools of barbering and owners and instructors thereof; providing for the appointment, terms and compensation of the members of such board; prescribing qualifications and fees of licensees of such boards; providing rules and regulations; and declaring that the public health requires the necessity of the enactment of such provisions of law.

Also:

S. 856. Creating and establishing a county-wide personnel system for all counties of the State of Alabama having a population of not less than 115,000 and not more than 165,000 people according to the last federal decennial census; providing for a personnel department to be composed of a personnel board and a personnel director; providing for the composition, powers, duties, functions and expenses of the board and for the selection and compensation of its members; providing for the selection, powers, duties and compensation of the personnel director; making it a misdemeanor to violate the provisions of the act; repealing all laws or parts of laws inconsistent with the provisions hereof.

Also:

S. 747. To authorize Alabama Trade School and Junior College Authority to sell and issue additional bonds for the construction, reconstruction, improvement, alteration, or equipping of junior colleges and trade schools; to provide for the details of said bonds, the execution thereof, the method of sale thereof, and the application of the proceeds from the sale thereof; to provide that bonds issued under this Act shall not create an obligation or debt of the State and shall be limited obligations payable solely from the revenues of said Authority; to authorize said Authority to pledge for payment of the principal of and interest on said bonds the funds that are appropriated and pledged in this Act for that purpose; to provide that said bonds shall constitute negotiable securities even though payable from a limited source; to provide that said bonds and the income therefrom shall be exempt from taxation; to provide that said bonds may be used to secure deposits of funds of the State and its instrumentalities and agencies; to provide that said bonds shall be lawful for the investment of trust funds; to provide for the use of the proceeds of said bonds; to make appropriations and pledge funds necessary to pay the principal of and interest on said bonds; to direct the State Treasury to pay the principal of and interest on said bonds out of the funds so appropriated and pledged; to provide that any portion of this Act that may be held invalid shall not affect the validity of any other portion hereof; and to specify the effective date of this Act.

Also:

S. 749. To amend Section 712, Title 51, Code of Alabama, as amended, relative to the maintenance of the records of motor vehicle registration.

Also:

S. 778. To repeal Act No. 175, S. 387 of the Regular Session of 1969, which provides for abatement of ad valorem taxes on property acquired by condemnation or otherwise by the State of Alabama or any agency or instrumentality thereof.

Also:

S. 842. To make an appropriation to the office of the Attorney General and to provide for special investigators, clerical assistants, equipment, travel and other necessary expenses.

Also:

S. 846. To make a conditional appropriation from the state treasury for the construction, equipment and furnishing of a substation in Tallapoosa County for the Department of Public Safety.

Also:

S. 894. To amend Act No. 263, S. 410, Regular Session 1967 (Acts 1967, p. 743), an Act regulating further the sale and consumption of alcoholic beverages in all counties having populations of not less than 65,000 nor more than 95,000 according to the most recent federal decennial census, in order to provide further for places in which such beverages may be sold, to authorize and provide for the use of stamps, crowns or decals to evidence payment of the tax levied by said Act, and to provide further for the enforcement of the Act and prescribe additional penalties for violations of the Act, to provide additional taxation.

Also:

S. 125. Pertaining to the salaries, tenure and removal of supernumerary district attorneys.

Also:

S. 8. To provide for the mandatory inspection of the slaughter of cattle, sheep, swine, goats, and equines, and poultry, and the preparation of the carcasses, parts thereof, meat and meat food products of such animals; solely for distribution in this State; for the regulation of related industries; for the cooperation with the United States Department of Agriculture; for quarantine, seizure, condemnation and destruction of carcasses, parts thereof and meat and poultry products; for promulgation of regulations; prohibiting certain acts relative to said meat and meat products, the preparation, transportation, labeling and distribution thereof, and providing penalties; the designation of the Commissioner of Agriculture and Industries of the State of Alabama as the supervising agency of the State of Alabama and the authorization of the said Commissioner and the Board of Agriculture and Industries of the State of Alabama to promulgate rules and regulations relating to all of the aforesaid; and to make an appropriation for the purpose of carrying out the provisions of this Act.

Also:

S. J. R. 101. Providing for continuation of the joint committee to study the problems of interstate and intrastate highway safety.

Also:

S. J. R. 110. Directing the Legislative Council to make a study of local city and county gasoline taxes.

Also:

S. J. R. 119. Creating an interim committee on Mental Health.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 600. To amend Act No. 647, H. 437 of the Regular Session of 1959 (Acts, 1959, p. 1562) which creates judgeship number three in the Sixth Judicial Circuit and provides that circuit judge number three shall be ex-officio judge of all courts in such circuit as to juvenile and domestic relations matters, cases, hearings and proceedings and shall have exclusive jurisdiction thereof, amending such act in order to provide for appointing a judge for such matters, cases, hearings or proceedings when circuit judge number three is absent or for any reason incompetent to sit for such matter, case, hearing or proceeding or when the public welfare will be served by his not sitting therein.

Also:

S. 654. To amend Section 1 of Act No. 87, H. 270, Regular Session 1955, an act relating to Mobile County and regulating the office of the Judge of Probate of said county (Acts 1955 v. 1, page 335) as last amended by an Act approved September 2, 1964, (Acts 1964 p 322).

Also:

S. 739. To alter, or rearrange the boundary lines of the Town of Hanceville, Cullman County, Alabama, so as to include within the corporate limits of said town all territory now within such corporate limits and also certain other territory contiguous thereto, in Cullman County, Alabama.

Also:

S. 805. To fix the salary of the Clerk of any inferior State or County Court now having two judges in counties having a population of not less than 300,000 nor more than 500,000, according to the last or any subsequent federal decennial census and to regulate the payment thereof.

Also:

S. 806. To further amend Act No. 216, H. 598, Regular Session 1957 (Acts 1957, Vol 1, p. 273), which relates to Mobile County.

Also:

S. 858. Relating to counties having populations of not less than 150,000 nor more than 300,000, according to the most recent federal decennial census; providing for participation of school lunchroom managers and assistants to such managers who are employed by the county board of education or a city board of education in such county in the Employees' Retirement System of Alabama; requiring the employing board of education to take such action as is required to bring such lunchroom managers and their assistants under the retirement system in the manner prescribed in Section 12 of Act No. 515, H. 93, of the Regular Session of 1945, as amended; and directing the county governing body to appropriate and pay out of county funds to the county board of education or a city board of education, as the case may be, the amounts needed to pay the employer's contributions to the retirement system.

Also:

S. 896. Relating to counties having populations of not less than 41,000 nor more than 45,000 according to the most recent federal decennial census; providing further for the handling and use of the proceeds of gasoline excise taxes heretofore levied by the county governing bodies in any such counties.

Also:

S. 897. Relating to counties having populations of not less than 46,500 nor more than 48,000, according to the most recent federal decennial census; and to fix the compensation of the solicitor of the law and equity courts in such counties; to repeal conflicting laws.

Also:

S. 898. To amend Act No. 65, S. 97, of the Extra Session of 1936 (General and Local Acts, 1936, Local Acts Section, p. 34), which provides a fund for the support of a law library for the Circuit Court of Tuscaloosa County, so as to increase the trial taxes levied thereby and regulate further the expenditure of such fund.

Also:

S. 900. Relating to Shelby County; authorizing any bank situated within the county to open, establish, operate and maintain branch banks, branch offices or other places of business within a certain area within said county.

Also:

S. 902. To provide for the manner and procedure for the election of members and the chairman, president or presiding judge of boards of county commissioners, boards of revenue or like governing bodies in counties having a population of not less than 115,000 nor more than 165,000 according to the last federal decennial census and providing for their term of office and the time of their election.

Also:

S. 903. To amend Section 3 of Act 324, Acts of Legislature, Regular Session 1923, as said act was amended by Act 469, Acts of Legislature, Regular Session 1931, by redefining the boundaries of the five districts of Madison County, Alabama.

Also:

S. 905. To change the method of compensating certain officers of Baldwin County, placing such officers on a salary basis, and providing for the operation of their offices on such basis.

Also:

S. 906. To fix the compensation of the Judge of Probate of Baldwin County, provide the method of payment thereof, provide for compensation of clerical assistants and the payment of their salaries, and provide for the operation of the office of the Judge of Probate of Baldwin County, Alabama.

Also:

S. 907. Relating to counties having populations of not less than 15,500 nor more than 16,300; to provide for the election and qualifications of members of the board of revenue, court of county commissioners, or other like governing body of any such county.

Also:

S. 908. Relating to counties having populations of not less than 13,700 nor more than 14,300; to provide for the election and qualifications of members of the board of revenue, court of county commissioners, or other like governing body of any such county.

Also:

S. 910. To amend Act No. 505, Section 453 of the Regular Session of 1963 (Acts, 1963, page 1087), which establishes and provides for the operation of the Cherokee County Court, amending Section 8, 12 and 14 of such Act, so as to transfer certain jurisdiction relative to juveniles from the probate court of Cherokee County to the Cherokee County Court, to provide further for the compensation of the judge.

Also:

S. 310. To amend Section 2 of Act No. 870, H. 200, Regular Session, 1961 (Acts of 1961, page 1365) entitled "An Act to amend Sections 1, 2, 6 and 9 of Act No. 343, approved August 20, 1957, entitled 'An Act to provide further for the execution of certain public contracts, providing for competitive bidding on certain public contracts for labor, services,

or work, or for the purchase of materials, equipment, supplies, or other personal property, made by or on behalf of any state department, board bureau, commission, committee, institution, corporation, authority, or office and prescribing penalties.' "

Also:

S. 821. Relating to counties having populations of not less than 300,000 nor more than 500,000; providing an expense allowance for the director of the personnel department in any such county.

Also:

S. 911. Relating to the 31st Judicial Circuit; to provide supplemental compensation for circuit judges and the district attorney of such circuit in lieu of any and all other salary supplements heretofore authorized, so as to provide further for such compensation.

Also:

S. 850. To propose an amendment to the Constitution of Alabama, relating to the levying and collection of special property tax for general health purposes in the counties of Lawrence, Limestone and Morgan, Alabama.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 168. Paying tribute to Mr. Joseph Brandly Converse of Selma, Alabama by naming Big Creek Lake in Mobile Lake Converse.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolution, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1525. Relating to the Legislative Reference Service and the Legislative Council, amending further Section 1 of Act No. 152, H. 60, Regular Session 1945 (General Acts 1945, p. 190), as amended, so as to provide further for the salary of the director of the Legislative Reference Service.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 213. Further amending Section 1 of Act No. 47, Special Session 1961 (Acts 1961, p. 1904) now appearing in Alabama Code, Recompiled 1958, Title 51, Section 12 (2); providing exemptions from taxation and licensing of certain charitable, religious, or civic organizations.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has received the accompanying Message from His Excellency, the Governor, proposing an amendment to the Bill:

S. 593. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Colbert County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collection of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel. To provide further for the distribution of fines and forfeitures in certain cases.

said Governor's Message being in words and figures as follows, to-wit:

MESSAGE FROM THE GOVERNOR

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I herewith transmit to you a message from the Governor returning Senate Bill No. 593 with a suggested Executive Amendment.

Respectfully submitted,

ROBERT M. CLECKLER,
Executive Secretary.

September 4, 1969

To the Senate of Alabama
State Capitol
Montgomery, Alabama

Gentlemen:

I am returning to you herewith, the Body in which it originated, Senate Bill No. 593 without my approval.

I respectfully suggest that Section 6 of Senate Bill No. 593 be amended by striking the words "One-half of all fines and forfeitures hereafter paid" and substitute in lieu thereof the following:

"One-half of all fines and forfeitures hereafter paid between October 1, 1969 and September 30, 1971."

Further amend Senate Bill No. 593 by striking therefrom in its entirety Section 7 of said bill and renumbering Sections 8 and 9 correspondingly.

The adoption of the suggested amendment will remove my objection to the bill.

Respectfully,

ALBERT P. BREWER,
Governor.

September 4, 1969

And the Senate has concurred in and adopted the amendment proposed by His Excellency, the Governor, to the Bill, S.B. 593 by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 25, Nays 0.

And said Bill, as amended by the Executive Amendment, was again read at length and passed by a vote of a majority of the whole number elected to the Senate, said vote being: Yeas 25, Nays 0.

And said Bill, S.B. 593, together with the Executive Amendment, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Graham, the House concurred in and adopted the amendment proposed by His Excellency, the Governor, to the bill, S. 593, said Governor's amendment being set out in the above and foregoing Message from the Senate.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Drake	Jones	Owen (Baldwin)
Adwell	Edington	Laxson	Owens (W.E.)
Agee	Ellis	Lemley	Paulk
Bassett	Foshee	Lybrand	Pearson
Beck	Gloor	Lyons	Pennington
Blanton	Graham	Manley	Perloff
Bowers	Grainger	Marr	Pruitt
Brannan	Grayson	Mays	Slate
Brassell	Hain	McCorquodale	Smith
Burgreen	Harper	McDonald	Stembridge
Cherner	Harris	McLain	Tuck
Collins (W)	Higginbotham	Meade	Turnham
Cook (Jefferson)	Holman	Meeks	Williams
Crawford	House	Melton	Wood
Dill	Jackson (F)	Merrill	Wright
Doss	Jackson (T)	Nettles	Young
Downing			—65

Which was a majority of the whole number elected to the House.

And said bill:

S. 593. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Colbert County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collection of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel. To provide further for the distribution of fines and forfeitures in certain cases.

As amended by the amendment proposed by His Excellency, the Governor, was again read at length and passed.

Yeas 65; Nays 0.

Yeas:

Mr. Speaker	Drake	Jones	Owen (Baldwin)
Adwell	Edington	Laxson	Owens (W.E.)
Agee	Ellis	Lemley	Paulk
Bassett	Foshee	Lybrand	Pearson
Beck	Gloor	Lyons	Pennington
Blanton	Graham	Manley	Perloff
Bowers	Grainger	Marr	Pruitt
Brannan	Grayson	Mays	Slate
Brassell	Hain	McCorquodale	Smith
Burgreen	Harper	McDonald	Stembridge
Cherner	Harris	McLain	Tuck
Collins (W)	Higginbotham	Meade	Turnham
Cook (Jefferson)	Holman	Meeks	Williams
Crawford	House	Melton	Wood
Dill	Jackson (F)	Merrill	Wright
Doss	Jackson (T)	Nettles	Young
Downing			—65

Which was a majority of the whole number elected to the House.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 682. To create and establish in Limestone County in lieu of the existing court created by Act No. 199, H. 603, Regular Session 1947 (Local Acts 1947, p. 113) and amendments thereto, a court of record with county-wide limited jurisdiction of criminal cases and civil actions at law and equity to be known as the Limestone County Superior Court; to provide for its procedure, costs and fees; to provide for its officers, their duties, power and compensation, and to provide for the transfer of cases.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 1117. To create and establish an inferior court of record of law and equity in Colbert County, Alabama; to define its jurisdiction; to provide for its officers, their appointment, election, terms of office, powers, duties, authority and compensation; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Colbert Law and Equity Court; and to abolish the Colbert Law and Equity Court, repealing Act #32, H. 162, Regular Session 1947, as amended, and all conflicting laws.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Graham, the House concurred in and adopted the Senate amendment to the bill, H. 1117, said Senate amendment being as follows:

Strike out Section 5 in its entirety and substitute in lieu thereof the following:

Section 5. The judge shall receive an annual salary equal to the annual salary paid by the State to Circuit Judges less $2,000. Such salary shall be payable out of the general fund of the county in equal monthly installments as the salaries of other county officers are paid. The salary herein prescribed shall become effective on the beginning of the term of the Judge elected at the general election in 1970.

In Section 8 change the period to a comma and add the following:

said salary to be commenced immediately upon the passage of this Act.

In Section 13 in the first line strike out the word, is, and insert in lieu thereof the following word: if

Strike out Section 20(a) in its entirety.

In Section 29 after the word salary where it first appears in such section, insert the following:

equal to the salary presently being paid to the Court Reporter of the Colbert Law and Equity Court provided however that at the commencement of the next regular term of the Judge of the Colbert County Court in 1971 then he or she shall receive an annual salary equal to an amount five hundred dollars less than the annual salary paid by the State to Circuit Court Reporters.

After Section 40 add the following Section:

Section 41. Effective on the first Monday after the second Tuesday in January 1971, the office of the Solicitor of the Colbert County Court shall be forever abolished and the duties of such office shall be performed by the District Attorney of the 31st Judicial Circuit and his assistant.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Doss	House	Nettles
Adwell	Downing	Jackson (F)	Owen (Baldwin)
Agee	Drake	Jackson (T)	Owens (W)
Bassett	Edington	Jones	Owens (W.E.)
Beck	Ellis	Lemley	Pearson
Berryman (W)	Fine	Lyons	Pennington
Blanton	Foshee	Manley	Perloff
Bowers	Garrett	Marr	Pruitt
Brannan	Gloor	Mays	Slate
Brassell	Graham	McCorquodale	Smith
Burgreen	Grainger	McElhaney	Tuck
Collier	Grayson	McLain	Waggoner
Collins (C)	Hain	Meade	Williams
Collins (W)	Hardin	Meeks	Wood
Cook (Jefferson)	Harper	Melton	Wright
Crawford	Harris	Merrill	Young
Dill	Holman		

—66

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 823. Changing and extending the corporate limits of the Town of Collinsville, DeKalb County, Alabama.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE
ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 1011. Relating to the City of Troy in Pike County: Authorizing the City of Troy as a municipal corporation to establish, purchase, construct, maintain and operate a television cable system and to furnish television cable service to the residents of the city and surrounding territory; prescribing its powers in connection therewith; authorizing and regulating the issuance and security of bonds and other evidences of indebtedness by such municipal corporation in connection with such systems; providing for the payment of such bonds and other evidences of indebtedness and the rights of the holders thereof; and exempting the municipal corporation transacting business pursuant to the Act from the jurisdiction and control of the Alabama Public Service Commission.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MOTION TO BRING UP S. 104, S. 105, S. 106 LOST

The motion of Mr. Lybrand to suspend the rules and bring up out of order the bills, S. 104, S. 105 and S. 106, was lost.

Yeas 31; Nays 28.

Yeas:

Messrs.:	Collins (C)	Harris	Money
Adwell	Cook (Jefferson)	Holman	Owen (Baldwin)
Bassett	Downing	House	Owens (W.E.)
Beck	Ellis	Jones	Pearson
Blanton	Gloor	Mays	Pruitt
Brannan	Grainger	McLain	Smith
Burgreen	Hain	Meeks	Turnham
Cherner	Hardin	Melton	Wright

—31

Nays:

Mr. Speaker	Edington	Jackson (T)	Nettles
Agee	Fine	Lemley	Owens (W)
Berryman (W)	Foshee	Lyons	Perloff
Brassell	Garrett	Manley	Slate
Collier	Graham	Marr	Springer
Crawford	Grayson	McCorquodale	Stembridge
Doss	Jackson (F)	Meade	Wood

—28

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 1013. To provide additional revenue in Lee County; levying in that part of Lee County outside the corporate limits of the cities of Auburn and Opelika special county privilege license and excise taxes paralleling, at lower rates, state sales and use taxes as provided for in Act No. 100, H. 94, approved August 18, 1959, and in Article 11 of Chapter 20, Title 51, Code of Alabama 1940, as heretofore or hereafter amended or supplemented; providing for the ascertainment, collection, payment, distribution and use of the proceeds of such license tax, and for the enforcement of the Act by the state department of revenue; and prescribing penalties and fixing punishment for violations of the Act.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bill, to-wit:

H. 1118. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Colbert County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collection of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of

salaries of such personnel. To provide further for the distribution of fines and forfeitures in certain cases.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 167. Mourning the death of Mr. Powell Anders Hamner, former sheriff of Walker County.

Also:

H. J. R. 172. Congratulating Governor Albert P. Brewer on having been selected to membership on the Executive Committee of the National Governors' Conference.

Also:

H. J. R. 175. Congratulating Mr. James Cooper, Auburn Extension Farm Agent, upon receiving the Governor's State Conservation Educator Award for 1969.

Also:

H. J. R. 176. Commending Mrs. L. B. (Dot) Smith, Chairman of the Alabama Farm Bureau Women's Committee on the outstanding work of her organization.

Also:

H. J. R. 177. Extending sympathy to the family of Honorable Clarence M. Pinson of Jasper, Alabama.

Also:

H. J. R. 178. Congratulating the Huntsville High School Band under the leadership of its director, William P. Sloan, on their recent award in the Six Flags Over Georgia Band Contest.

McDOWELL LEE,
Secretary.

MOTION TO BRING UP S. 288 LOST

The motion of Mr. Springer to suspend the rules and bring up out of order the bill, S. 288, was lost.

MOTION TO ADJOURN SINE DIE LOST

The motion of Mr. Yeilding that the House adjourn sine die was lost.

Yeas 35; Nays 39.

Yeas:

Mr. Speaker	Grayson	Marr	Pruitt	
Brannan	Hardin	McDonald	Sessions	
Brassell	Harris	Melton	Snell	
Burgreen	Headley	Money	Starnes	
Collier	Higginbotham	Nettles	Tuck	
Collins (W)	Jackson (T)	Owen (Baldwin)	Williams	
Dill	Lybrand	Owens (W)	Wood	
Garrett	Lyons	Owens (W.E.)	Yeilding	
Gloor	Manley	Perloff		—35

Nays:

Messrs.:	Crawford	Holman	Paulk	
Agee	Culver	House	Pearson	
Bank	Doss	Jackson (F)	Pennington	
Beck	Downing	Jones	Robertson	
Blanton	Drake	Lemley	Slate	
Brown	Edington	Mays	Smith	
Burgess	Fine	McCorquodale	Stembridge	
Cherner	Foshee	McLain	Turnham	
Collins (C)	Graham	Meade	Waggoner	
Cook (Jefferson)	Grainger	Meeks	Young	
				—39

MOTION TO ADJOURN SINE DIE LOST

The motion of Mr. Starnes that the House adjourn sine die was lost.

Yeas 36; Nays 42.

Yeas:

Mr. Speaker	Gloor	Malone	Owens (W.E.)	
Brannan	Grayson	Manley	Perloff	
Brassell	Hardin	Marr	Pruitt	
Burgreen	Harris	McDonald	Snell	
Cameron	Headley	Melton	Starnes	
Collier	Higginbotham	Money	Tuck	
Collins (W)	Jackson (T)	Nettles	Williams	
Ellis	Lybrand	Owen (Baldwin)	Wood	
Garrett	Lyons	Owens (W)	Yeilding	
				—36

Nays:

Messrs.:	Crawford	Harper	Paulk	
Agee	Culver	Holman	Pearson	
Bank	Doss	House	Pennington	
Beck	Downing	Jackson (F)	Robertson	
Berryman (W)	Drake	Jones	Slate	
Blanton	Edington	Lemley	Smith	
Brown	Fine	Mays	Stembridge	
Burgess	Foshee	McCorquodale	Turnham	
Cherner	Graham	McLain	Waggoner	
Collins (C)	Grainger	Meade	Young	
Cook (Jefferson)	Hain	Meeks		—42

MOTION TO BRING UP S. 39 LOST

The motion of Mr. Cook (Jefferson) to suspend the rules and bring up out of order the bill, S. 39, was lost.

MOTION TO SINE DIE LOST

The motion of Mr. Starnes that the House adjourn sine die was lost.

Yeas 39; Nays 45.

Yeas:

Mr. Speaker	Gafford	Lyons	Pearson	
Bolton	Garrett	Malone	Pruitt	
Brannan	Gloor	Manley	Slate	
Brassell	Hardin	McDonald	Snell	
Burgreen	Harper	Melton	Starnes	
Cameron	Harris	Merrill	Tuck	
Collins (W)	Headley	Money	Williams	
Dill	Higginbotham	Nettles	Wood	
Doss	Jackson (T)	Owens (W)	Yeilding	
Ellis	Lybrand	Owens (W.E.)		—39

Nays:

Messrs.:	Crawford	Holman	Paulk	
Agee	Culver	House	Pennington	
Bank	Downing	Jackson (F)	Robertson	
Beck	Drake	Jones	Sessions	
Blanton	Edington	Lemley	Smith	
Bowers	Fine	Mays	Stembridge	
Brown	Foshee	McCorquodale	Stubbs	
Burgess	Graham	McLain	Turnham	
Cherner	Grainger	Meade	Waggoner	
Collier	Grayson	Meeks	Wright	
Collins (C)	Hain	Owen (Baldwin)	Young	
Cook (Jefferson)	Hill			—45

MOTION TO BRING UP S. 256 LOST

The motion of Mr. Downing to suspend the rules and bring up out of order the bill, S. 256, was lost.

MOTION TO BRING UP S. 489 LOST

The motion of Mr. Hill to suspend the rules and bring up out of order the bill, S. 489, was lost.

MOTION TO BRING UP S. 807 LOST

The motion of Mr. Hill to suspend the rules and bring up out of order the bill, S. 807, was lost.

Yeas 37; Nays 18.

Yeas:

Mr. Speaker	Downing	Jones	Perloff	
Bank	Drake	Kilgore	Robertson	
Beck	Edington	Manley	Slate	
Brannan	Graham	Marr	Smith	
Brassell	Grainger	Mays	Waggoner	
Brown	Grayson	McLain	Watkins	
Burgreen	Headley	Money	Weeks	
Collins (W)	House	Neville	Wood	
Cook (Jefferson)	Jackson (T)	Owen (Baldwin)	Wright	
Culver				—37

Nays:

Messrs.:	Gafford	Jackson (F)	Melton	
Adwell	Garrett	Lybrand	Merrill	
Bassett	Gloor	Lyons	Owens (W)	
Burgess	Hardin	McCorquodale	Yeilding	
Ellis	Higginbotham	Meade		—18

MOTION TO ADJOURN SINE DIE LOST

The motion of Mr. Lybrand that the House adjourn sine die was lost.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1428. Relating to counties having populations of not less than 41,000 nor more than 45,000; to provide for taxing and collecting of additional costs in certain courts in such counties for public law library purposes.

Also:

H. 1361. Relating to Franklin County; to provide expense allowances payable from the county treasury for the coroner of such county.

Also:

H. 1320. Relating to counties having populations of not less than 22,500 nor more than 24,550; to provide for the qualifications of the superintendent of education in any such county.

Also:

H. 1545. Relating to all counties having populations of not less than 12,500 nor more than 13,500 according to the most recent federal decennial census; providing further for certain fees allowed to judges of probate.

Also:

H. 1546. To provide for the manner and procedure for the election of members and the chairman, president or presiding judge of boards of county commissioners, boards of revenue or like governing bodies in counties having a population of not less than 115,000 nor more than 165,000 according to the last federal decennial census and providing for their term of office and the time of their election.

Also:

H. 1547. To amend Section 3 of Act 324, Acts of Legislature, Regular Session 1923, as said act was amended by Act 469, Acts of Legislature, Regular Session 1931, by redefining the boundaries of the five districts of Madison County, Alabama.

Also:

H. 1447. To amend further Section 257 of Title 13, Code of Alabama 1940, which fixes the compensation of deputy solicitors in certain counties.

Also:

H. 1513. Relating to Sumter County; amending further Section 8 of Act No. 261, H. 571, Regular Session 1947 (Local Acts 1947, p. 187) in relation to the maximum compensation of the county engineer.

Also:

H. 1512. To amend Act No. 111, H. 427, Regular Session 1963, (Acts 1963, p. 491) which provides for the employment of an additional assistant by the tax collector of Sumter County for portions of the fiscal year so as to provide further for the compensation of such assistant.

Also:

H. 1472. Regulating the practice of barbering in Marengo County; prescribing the terms upon which licenses may be issued to practitioners of barbering, including students and apprentices; Regulating barber shops, barber schools and instructors; providing for the appointment of a county board of barber commissioners, and defining the duties of said commission; prescribing fees; defining certain misdemeanors and providing penalties for violation thereof.

Also:

H. 1473. To change the method of compensating the judge of probate, the sheriff, the tax assessor, the tax collector, the circuit clerk and register in chancery of Marengo County; fixing the salaries of such officers and providing for the clerical assistance, deputies, office space, equipment and supplies necessary for the conduct of their respective offices on a salary basis.

Also:

H. 1491. To regulate further fees of justices of the peace in all counties having populations of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census; and to provide that in lieu of justices' fees in criminal cases in such counties for the collection by justices of the peace of a fixed charge per case in all criminal cases, all of which must be remitted to the state, and for the payment by the state of compensation to justices of the peace for all their services pertaining to criminal cases tried in their respective courts on the basis of their case loads.

Also:

H. 1357. Relating to counties having populations of not less than 96,000 nor more than 106,000, according to the most recent federal decennial census; providing for the payment from the county treasury of an additional supplementary salary to each of the court reporters for the circuit courts of such counties.

Also:

H. 1311. To fix the supplemental salary of the District Attorney of the Twenty-third Judicial Circuit; and to provide that said supplemental salary shall be paid out of the General Fund of Madison County.

Also:

H. 1486. To provide, in all judicial circuits composed of one county having a population of between 110,000 and 160,000 persons according to the last Federal Decennial Census, for placing in the general fund of the county composing each of said judicial circuits all surplus funds given to the District Attorney's Office, in any such judicial circuit, by accused persons as restitution for worthless checks; which surplus funds, after an audit and diligent search cannot be applied to an existing case in the judicial circuit where such funds were paid in.

Also:

H. 1485. To amend further Act No. 658, H. 1030, approved November 21, 1959, as amended by Act No. 124, S. 28, Acts of Alabama 1961, p. 2047 and as further amended by Act No. 173, H. 296, approved July 30, 1965, Acts of Alabama 1965, p. 243, an act providing for a privilege license or excise tax in Madison County on the sale, distribution, storage, use or other consumption in the county of cigarettes.

Also:

H. 1484. To amend Act No. 23, H. 109, Special Session 1964 (Acts First and Second Special Session 1964, p. 44) as said act was amended by Act No. 659, H. 802, Regular Session 1967 (Acts, Organizational, Special Regular Sessions 1967, Vol. II p. 1482) an act applying only in counties having a population of not less than 110,000 nor more than 160,000 according to the most recent federal decennial census; fixing and providing for the payment of compensation of the members and chairman of the county governing body and providing for the payment of expenses incurred in the performance of their duties.

Also:

H. 1483. To amend Act No. 780, H. 1499, Regular Session 1961, an act providing for the incorporation in any county having a population of not less than 110,000 nor more than 165,000, of an authority as a public corporation for the purpose of acquiring, constructing, enlarging, and improving airports, airport buildings and facilities, and exempting said authority from certain liabilities.

Also:

H. 1482. Authorizing the Board of County Commissioners or like governing body of Madison County, Alabama to appropriate and pay county funds to volunteer nonprofit fire departments and volunteer nonprofit corporations or organizations, organized for the purpose of proving volunteer service in emergency situations arising in said Madison County, for the purchase of equipment, materials and supplies.

Also:

H. 1480. To amend further Act No. 476, H. 627, Regular Session 1955 (Acts 1955 v. 11 p. 1084) as said act was amended by Act No. 276, H. 346, Acts of Alabama, Special Session 1966, p. 419, approved September 9, 1966, an act creating the office of Deputy Circuit Solicitor in the Twenty-third Judicial Circuit; and providing for his appointment, duties and compensation.

Also:

H. 1481. To provide for the position of Administrative Assistant to the District Attorney and the position of Office Manager-Legal Secretary to the District Attorney in judicial circuits, composed of one county, having a population of between 110,000 and 160,000 persons according to the last Federal Decennial Census.

Also:

H. 1476. To authorize the creation of a public corporation in Madison County, Alabama, which shall have the power to construct, lease, build, install, acquire, own, operate, maintain, equip, use and control marinas, ports, waterfront facilities, docks, wharves, piers, berths, quays, warehouses, industrial sites, industrial and factory buildings and the necessary or convenient approaches, easements, roads, streets and ways leading thereto or used in conjunction therewith; to prescribe the duties and powers of such public corporation, including but not limited to,

the power to enter into contracts or agreements with persons, firms or corporations, public or private, with the United States of America or with any of its agents or departments as well as with the various states and the subdivisions and municipal corporations created thereby; to authorize the issuance of revenue bonds and revenue refunding bonds payable from the revenues of authorized projects, to pay the cost of such projects; making such bonds exempt from taxation and constituting them legal investments in certain instances; and providing that no debt of a state, political subdivision thereof or of any municipality created thereby shall be incurred in the exercise of any of the powers granted by this act.

Also:

H. 1536. To provide retirement allowances for certain elected officers and former elected officials in all counties of the state having a population of more than 500,000 according to the last or any subsequent federal census.

Also:

H. 1533. Proposing an amendment to the Constitution of Alabama relating to authorizing the City of Birmingham to alienate or lease any public park or playground or any part or portion thereof.

Also:

H. 1541. To amend Act Number 134 of the 1965 Regular Session of the Legislature of Alabama (Acts of Alabama Regular Session 1965, Page 201) approved July 7, 1965, entitled "An Act to authorize the Mayor of any City of this State having a population of 300,000 persons or more according to the last or any subsequent federal census to employ for and in behalf of said City a Chief Administrative Assistant to the Mayor to serve at the pleasure of the Mayor."

Also:

H. 1556. Relating to all counties having populations of not less than 17,400 nor more than 17,800, according to the most recent federal decennial census, to authorize and provide for an additional expense allowance for the chairman and members of the county governing body.

Also:

H. 1344. To amend Act No. 638, H. 1084, Regular Session 1965 (Acts 1965, p. 1159), an Act fixing the fee for issuance of a pistol permit by the sheriff and providing for the disposition and use of such fees.

Also:

H. 1507. To alter or rearrange the boundary lines of the Town of Springville, St. Clair County, Alabama, so as to include within the corporate limits of the said town all territory now within such corporate limits, and also certain other territory in St. Clair County, Alabama.

Also:

H. 1496. Relating to St. Clair County; providing for the election of county commissioners and prescribing the district lines and excepting the judge of probate, as the presiding judge of the court of county commissioners, from the operation of the Act.

Also:

H. 1440. Relating to counties having populations of not less than 28,000 nor more than 30,575; authorizing an appropriation from the treasury of such counties for the relief of tax collectors serving when the basis of compensation of such officers changed from fee to salary.

Also:

H. 1441. Relating to counties having populations of not less than 28,000 nor more than 30,575; authorizing an appropriation from the treasury of such counties for the relief of tax assessors serving when the basis of compensation of such officers changed from fee to salary.

Also:

H. 1514. Regulating the compensation of registrars of Sumter County, and providing for payment of additional compensation by the county.

Also:

H. 1477. To authorize the governing bodies of all municipalities having populations of not less than 70,000 nor more than 120,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal waterworks utility board, created in any such municipality by ordinance pursuant to Act No. 860, S. 408, Regular Session 1953, to make certain expenditures without the prior consent and approval of the governing body of any of such municipalities.

Also:

H. 1445. To alter, rearrange, extend and redefine the boundary lines and corporate limits of the Town of Phil Campbell in Franklin County.

Also:

H. 1528. Relating to the eleventh judicial circuit; to provide additional compensation for official court reporters of such circuit; and to repeal conflicting laws.

Also:

H. 1527. Relating to the eleventh judicial circuit; to provide further for the compensation of the judges and the district attorney of such circuit; and to repeal conflicting laws.

Also:

H. 1414. Relating to counties having populations of not less than 51,000 nor more than 56,000, according to the most recent federal decennial census; and providing for the reinstatement of the driving privileges of residents of such counties after suspension of such privileges pursuant to Section 5 of Act No. 704, H. 475, Regular Session 1951 (Acts 1951, p. 1224 at p. 1228).

Also:

H. 1133. To provide for any counties having a population of 600,000 or more according to the 1940 federal census or any succeeding decennial federal census which have adopted or subsequently adopt Zoning Regulations, Land Subdivision Regulations and Building Codes to have exclusive jurisdiction over matters relating to such Zoning, Land Subdivision, and Building Code in all areas of the County lying outside of the corporate limits of any municipality in such County, and to withdraw from such municipalities all right, power and authority relating to such land outside its corporate limits as to all matters relating to Zoning, Land Subdivision and Building Codes; to define Zoning Regulations, Land Subdivision Regulations and Building Codes.

Also:

H. 1134. To amend the title and to further amend Section 1 of Act No. 344, H. 775 of the Regular Session of 1947 (General Acts 1947, p. 217), which was an act to empower any counties having a population of 400,000 or more according to the 1940 or any succeeding federal census to provide for, regulate, and restrict in the unincorporated portions of the county outside of the police jurisdiction of incorporated municipalities, the use and construction of buildings, structures and land for trade, industry and residence, so as to authorize such counties to zone the unincorporated portions of the county lying within the police jurisdiction of the incorporated municipalities of the county and to take away from such incorporated municipalities zoning jurisdiction in that area outside of their corporate limits but within their police jurisdictions.

Also:

H. 598. To further amend Section 19 of Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945 (General Acts of Alabama of 1945, pages 376 et seq.) as heretofore amended.

Also:

H. 1415. To provide for and fix the salaries of members of the Commission or Board of Commissioners (including the president of such Commission or Board) of each city in the State of Alabama having a population of not less than 32,500 nor more than 33,500 inhabitants according to the last federal census, or which shall hereafter have such population according to any succeeding federal census, and to fix the time and regulate the mode of payment of such salaries; to provide further, that in such municipalities which own and operate light and power systems, and municipal water systems, one or either of them, that the president of such Commission shall be and act and be constituted as the Supervisor thereof and shall be responsible for the planning, supervising and financing thereof; to fix his duties and to provide and fix the salaries, to fix the time and regulate the mode of payment thereof, to be paid the president of such Commission for his services as such Supervisor out of the funds of such municipal light and power system, and municipal water system, one or either of them; to provide that this Act shall become effective on the first day of October, 1970.

Also:

H. 1532. To further amend Section 5 of Act No. 248 of the Regular Session of the Legislature of Alabama of 1945, approved July 6, 1945, (General Acts of Alabama of 1945, page 376, et seq.) entitled "An Act to create and establish in each county in Alabama which has a population of 400,000 or more according to the last or any future federal census, a county-wide Civil Service System, affecting certain personnel whose compensation is now or may hereafter be payable in whole or in part from the public funds of such counties or municipalities located therein, including personnel employed or appointed by the County Board of Health and the Board of Registrars in such counties; to create a Citizens Supervisory Commission and to create a Personnel Board and other agencies for the supervision and administration of said System in each of such counties; to regulate and define the manner, form and extent of the control, supervision and authority of such agencies over such personnel and over such counties and municipalities therein and County Boards of Health and Registrars in such counties; to provide for the payment of the expenses of each such agency and for a division of such expense between the county affected thereby and the municipalities therein including the County Board of Health; to provide penalties for the violation of this Act and of rules and regulations adopted pursuant thereto; and to repeal all laws and parts of laws inconsistent with the provisions hereof."

Also:

H. 1567. To authorize the governing bodies of Tuscaloosa County, the City of Tuscaloosa and the City of Northport to create the Tuscaloosa County Park and Recreation Authority, to appropriate funds to such authority, and to abolish existing park and recreation boards upon the establishment of such authority.

Also:

H. 1450. To alter and rearrange the boundary lines of the City of Scottsboro, Jackson County, Alabama, by excluding from the present corporate limits certain described territory.

Also:

H. 1449. Relating to counties having a population of not less than 36,600, nor more than 37,600 according to the last Federal Decennial Census, and providing for the taxing of additional court cost in misdemeanors.

Also:

H. 1502. Relating to counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census, and having county courts composed of two divisions with a judge for each division: prescribing the civil jurisdiction of such courts; and placing certain limitations on the judges thereof.

Also:

H. 1526. To fix the compensation of deputy district attorneys of counties having populations of not less than 12,500 nor more than 13,500 and providing for payment thereof from the county treasury.

Also:

H. 1495. Relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for the payment by the county of expense allowances for the clerk and each member of the jury commission in such counties.

Also:

H. 1494. Relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for an expense allowance for the members of the county board of equalization payable from the general funds of the county.

Also:

H. 1493. Relating to all counties having populations of not less than 31,500 nor more than 33,500, according to the most recent federal decennial census; and providing for the payment by the county of expense allowances for the members of the board of registrars in such counties.

Also:

H. 877. To alter, rearrange and extend the boundary lines and corporate limits of the Town of Pelham in Shelby County so as to annex certain territory to the Town of Pelham, Alabama.

Also:

H. 1478. To authorize the governing bodies of all municipalities having populations of not less than 70,000 nor more than 120,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal electric utility board, created in any such municipality by ordinance, pursuant to Code of Alabama 1940, Title 18, Chapter 4, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

Also:

H. 1479. To authorize the governing bodies of all municipalities having populations of not less than 70,000 nor more than 120,000, according to the most recent federal decennial census, by ordinance, to authorize any municipal gas utility board, created in any such municipality by ordinance pursuant to Act No. 861, S. 409, Regular Session 1953, to make certain expenditures without prior consent and approval of the governing body of any of such municipalities.

Also:

H. 1174. To amend Act 544, S. 602, P. 1294, Acts of Alabama of 1967, to provide funds from the General Fund in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census, for a county health department, including the acquisition of land, the erection, construction, extension, renewal, and repair of any buildings and improvements thereon and the maintenance and operation of such department; to anticipate such funds by temporary loan certificates, and to repeal all laws or parts of laws in conflict herewith.

Also:

H. 1175. To amend Act 751, S. 599, P. 1606, Acts of Alabama of 1967, as to provide funds from the general funds of the several incorporated municipalities in all counties having a population of not less than 300,000 inhabitants and not more than 500,000 inhabitants according to the last or any succeeding federal census for a county health department, including the acquisition of land, the erection, construction, extension, renewal and repair of any buildings and improvements thereon and the maintenance and operation of such department; to anticipate such funds by temporary loan certificates and to repeal all laws or parts of laws in conflict herewith.

Also:

H. 1424. To create one additional circuit court judgeship for any judicial circuit composed of a single county having a population of not less than 300,000 nor more than 500,000, according to the most recent federal decennial census; to provide for the election of a judge for such judgeship; to prescribe the jurisdiction, power, authority, duties, responsibilities, qualifications and compensation of such judge; to abolish the office of judge of the juvenile court of any county coming within the influence of this Act, but not the juvenile court of such county; to change the name of such juvenile court to the juvenile division of the circuit court of the circuit composed of the county in which such juvenile court exists; and to provide that such additional judge shall be ex officio judge of the juvenile court in addition to performing his other duties and responsibilities.

Also:

H. 1562. Relating to counties having populations of not less than 13,700 nor more than 14,300; provide for the election and qualifications of members of the board of revenue, court of county commissioners, or other like governing body of any such county.

Also:

H. 1443. To fix the compensation of the deputy sheriffs of Pickens County, Alabama.

Also:

H. 1448. To alter, rearrange and extend the boundary lines and corporate limits of the City of Fayette in Fayette County.

Also:

H. 1442. To delegate to the Clerk of the Circuit Court of Pickens County, serving Ex Officio as Clerk of the County Court of Pickens County, certain authority in criminal cases in Pickens County, Alabama.

Also:

H. 1474. To enlarge the corporate limits of the City of Marion, Alabama.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolution, to-wit:

H. J. R. 128. Relative to creating a Joint Interim Committee on Revenue to study the modernization of the revenue system and revenue laws of Alabama.

H. J. R. 139. Establishing an interim hurricane planning committee to assist in developing a plan to meet impending disasters.

H. J. R. 145. Relative to a joint interim committee on the feasibility of a Public Defender Program in Alabama.

H. J. R. 167. Mourning the death of Powell Anders Hamner, former Sheriff of Walker County.

H. J. R. 172. Commending and congratulating Governor Albert P. Brewer upon his selection to membership on the Executive Committee of the National Governor's Conference.

H. J. R. 175. Congratulating Mr. James Cooper upon receiving the Governor's State Conservation Educator Award for 1969.

H. J. R. 176. Congratulating and commending the Alabama Farm Bureau Women's Committee upon being named "Conservation Organization Of The Year" by the Alabama Wildlife Federation.

H. J. R. 177. Expressing regret upon the death of Mr. Clarence M. Pinson, former President of the Jefferson Commission.

H. J. R. 178. Congratulating the director and members of the Huntsville High School Band for their superior performance and excellence in the Six Flags Over Georgia Contest.

H. J. R. 183. Commending Governor Albert P. Brewer for his prompt action in protecting the lives and property of the citizens of Pickens County.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 1062. Providing further for the operation of the county board of equalization of each county having a population of not less than 109,000 nor more than 115,000, according to the last or any subsequent federal decennial census; further regulating the term of service, compensation, and expense allowance of the members of the board; making further provision in regard to the office space and office fixtures and supplies of the board, and providing for the employment of clerks and other employees by the board.

Also:

H. 1540. Relating to counties having populations of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census; and providing for the compensation of the clerk of the circuit court in such counties.

Also:

H. 1454. To amend Act 258, approved September 7, 1964, to designate the time in each year when the Board of Registrars shall sit for the purpose of registering voters and performing Clerical duties in all counties of the State of Alabama having a population of not less than 150,000 nor more than 300,000 according to the preceding federal decennial census; to provide that said sessions shall be in lieu of all other sessions now authorized by law; to provide for the compensation of the members of the Board of Registrars and clerical assistants; to authorize the appointment and payment of clerical assistance, and expenditure of county funds for office space, equipment, supplies and other expenses; to validate all registrations in such counties made between September 7, 1964, and the date of the passage of this act.

Also:

H. 1543. To provide for meetings of boards of registrars and for files of registered voters in counties of not less than 50,000 nor more than 54,000 population according to the last or any subsequent federal decennial census.

Also:

H. 1539. To provide for the compensation of the register of the circuit court of any county having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census.

Also:

H. 1433. To provide for operation of non-profit ambulance services by the municipalities in all counties having populations of not less than 31,000 nor more than 32,000, according to the most recent federal decennial census.

Also:

H. 1451. Relating to Houston County, providing for the establishment of a consolidated and unified system for assessment and collection of taxes, under the supervision of an elected county official designated as county revenue commissioner, and repealing conflicting laws.

Also:

H. 1434. Relating to counties having populations of not less than 31,000 nor more than 32,000; to alter, rearrange and extend the corporate limits of certain towns within such counties.

Also:

H. 1452. To alter, rearrange and extend the boundary lines of the Town of Stevenson, Jackson County, Alabama, so as to include within the corporate limits of said Town all territory now within such corporate limits and also certain other territory contiguous thereto, in Jackson County, Alabama.

Also:

H. 1498. To establish a Civil Service System for the City of Northport; to provide a policy for the administration of this act; to divide positions in the city into classified and exempt services, and to provide for changes between such services; to provide a status for present employees; to provide personnel rules and personnel plans of the city; to provide for the organization of the Personnel Board of the city, to establish the qualifications of its members and the duties they will perform; to provide for the adoption, amendment and repeal of rules, regulations, determinations, job classification plans, pay plans, and mandatory and/or permissive retirement plans to effectuate the purposes of this act; to provide for the employment of persons with and without competitive examination; to provide for temporary appointments and the manner in which and the extent to which they shall be made permanent; to provide for the establishment of lists of persons eligible for employment and to establish the manner in which such lists shall be used; to establish a period of probation for certain city employees; to provide for rules governing working hours and leaves of absence; to provide for the laying off of employees; to establish the manner in which employees may be disciplined and to provide a procedure under which certain employees may protest such disciplinary action; to give the Personnel Board the authority to require the attendance of witnesses and the production of documents at such proceedings and to establish penal-

ties for failure to attend or produce records as required; to provide for an appeal from decisions of such board in such protests; to require such Board to maintain certain records; to prohibit and fix the punishment for certain political activity by certain employees of the city; to provide for the expenses of such Board; to guarantee certain rights to the governing body of the city.

Also:

H. 1380. To fix and provide for the compensation or salary of the Judges of Probate in Counties having a population of 600,000 or more, according to the last or any subsequent federal census, and to provide for the payment thereof.

Also:

H. 1432. To fix the compensation to be paid out of the county treasury to certain county officers and officials in all counties having populations of not less than 46,500 nor more than 48,000, according to the most recent federal decennial census; to repeal conflicting laws; and to provide for a referendum.

Also:

H. 1555. To alter, rearrange, extend, enlarge, and define the Corporate limits of the Town of Moulton, Lawrence County, Alabama, and to provide when this Act shall become effective.

Also:

H. 455. To levy in Escambia County a county privilege tax upon every person engaging in the business of producing or severing oil or gas or other hydrocarbons from the soil or the waters, or from beneath the soil or the waters of Escambia County, which tax shall be in addition to all other taxes including the state oil and gas tax levied by Act No. 2, H. 47, approved May 19, 1945 (Gen. Acts 1945, p. 20); to provide for the collection and enforcement of the tax by the state department of revenue in the same manner as the state oil and gas tax and to incorporate by reference certain provisions of said Act No. 2 with respect to assessments, and the time and manner of making reports and payments and the provisions thereof prescribing penalties for violations; to authorize the state revenue department to make rules and regulations to effectuate the purposes of this act; to provide that the revenue derived from the tax shall be used solely for the use of the public schools in Escambia County; and to prescribe additional penalties for certain violations.

Also:

H. 1138. To authorize counties with a population of 400,000 or more according to the last or any succeeding Federal Census to levy the license taxes on the privilege of issuing or using trading stamps in such counties not in excess of those which Act No. 110 (H. 182), approved February 14, 1956 (Acts of Ala., 1956 Special Sessions, p. 166) levies for such counties on such privilege, to provide when such act shall become effective, to repeal said Act No. 110 (H. 182) and provide when such repeal shall become effective.

Also:

H. 1461. To further amend Section 9, Section 12, and Section 14 of Act No. 929 of the Regular Session of the Legislature of Alabama of 1951, approved September 12, 1951 (General Acts of Alabama 1951 page 1579, et seq) entitled: "An Act to create or provide in or for each and every City of the State of Alabama having a population of two hundred and fifty thousand or more inhabitants according to the last or any

succeeding federal census a Pension and Relief or Retirement and Relief System for officers and employees of such City and their widows and children: to make the provisions of such System retrospective as well as prosepctive; and, subordinately, to define officers and employees of the Board of Health of any County in which any such City may be located as officers and employees of such City for the purpose of retrospective and prospective application of the terms or provisions of such System."

Also:

H. 1459. An Act to allow Boards of Education in each county of the State of Alabama having a population of not less than 600,000 inhabitants according to the last Federal Census or which shall hereafter have such population according to any succeeding Federal Census, to collect a non-resident fee for the attendance by such non-residents or children of any other school district; provided, that this Act shall not apply to any Board of Education located in any such county and having jurisdiction over the public schools located in a school district having a population of not less than 10,000 inhabitants or more than 15,000 inhabitants, according to the last federal census or any succeeding federal census.

Also:

H. 1463. To fix the compensation or salaries of Circuit Clerk in Counties of 600,000 inhabitants or more, according to the last or any subsequent Federal census, and to require such officers to pay into the county treasury of such county or counties all fees, commissions, costs or other emoluments which are now allowed by law.

Also:

H. 1504. To amend Section 8 and to further amend Sections 3, 6 and 7 of Act No. 470 of the Regular Session of the Legislature of Alabama of 1955, approved September 9, 1955, entitled "An Act to provide a separate Retirement and Relief System for certain of the presently active employees of the City of Birmingham who entered the service of the Police Department of said City prior to September 19, 1939, and to whom is applicable the Pension and Relief System provided by Act No 502 of the Regular Session of the Legislature of 1923, as reenacted and amended: to include in said separate system dependents of said presently active employees; and to render said Act No. 502 inapplicable to said certain presently active employees and their dependents."

Also:

H. 1466. To create a Local Government Commission in each county in the State having a population of 600,000 or more, according to the 1960 or any succeeding decennial Federal census, to provide for the membership, organization, functions, powers and duties of such Commission, to provide for the financing of such Commission's work by appropriation from the County and each municipality therein, and the receipt by the Commission of donations, to provide for the submission of recommended municipal mergers, annexations or changes in form of government to a vote of the qualified voters affected thereby, and in the event of a favorable vote, the effectuation of such mergers, annexations or changes in form of government, and to provide for advisory referenda.

Also:

H. 1505. To amend Sections 3, 6, 7 and 8 of Act No. 217 of the 1966 Special Session of the Legislature of Alabama, approved August 30, 1966, (Acts of Alabama, 1966 Special Session, page 280, et seq.) en-

titled "An Act to provide a separate Retirement and Relief System for certain of the presently active employees of the City of Birmingham who entered the service of the Fire Department of said City prior to September 19, 1939, and to whom is applicable the Pension and Relief System provided by Act No. 307 of the 1943 Regular Session of the Legislature of Alabama, as amended, and Act Number 22 of the Second Special Session of the Legislature of Alabama of 1956: to include in said separate System dependents of said presently active employees: and to render said Act No. 307 and said Act Number 22 inapplicable to said certain presently active employees and their dependents."

Also:

H. 1047. To change the method of compensating the sheriff of Barbour County, placing such officer on a salary basis; to provide that the fees, commissions, and allowances provided the sheriff under the general law shall be paid into the county treasury; and to provide that expenses, equipment and assistants necessary to the conduct of the sheriff's office be paid for by the county.

Also:

H. 1423. To amend section 3 of Act No. 584, H. 795, Regular Session 1963, an act authorizing and providing for establishment of regional advisory planning commissions (Acts 1963, v. 2, p. 1278).

Also:

H. 1511. To provide retirement allowances for elected officials and former elected officials of all municipalities of the State having a population of 300,000 or more according to the last and any subsequent federal census.

Also:

H. 1525. Relating to the Legislative Reference Service and the Legislative Council, amending further Section 1 of Act No. 152, H. 60, Regular Session 1945 (General Acts 1945, p. 190), as amended, so as to provide further for the salary of the director of the Legislative Reference Service.

Also:

H. 1117. To create and establish an inferior court of record of law and equity in Colbert County, Alabama; to define its jurisdiction; to provide for its officers, their appointment, election, terms of office, powers, duties, authority and compensation; to provide the rules and procedure of said court; to provide a fine and forfeiture fund for said court; to provide for the transfer of certain causes now or hereafter pending in the Colbert Law and Equity Court; and to abolish the Colbert Law and Equity Court, repealing Act #32, H. 162, Regular Session 1947, as amended, and all conflicting laws.

Also:

H. 1392. To establish an Inferior Court in Precincts 4, 5, 6, 7, 8, 9 and 10 and all other precincts lying within or partly within the City of Birmingham in lieu of all Justices of the Peace in said precincts, and in lieu of all Notaries Public with powers of Justices of the Peace and with concurrent Jurisdiction with all other Justices of the Peace and Inferior Courts created in lieu of Justices of the Peace in the Birmingham Division of Jefferson County, Alabama, where the amount in controversy is $100.00 or less; this court shall be a court of record and shall have concurrent jurisdiction with the Circuit Court, Tenth Judicial Circuit of Alabama, Birmingham Division, sitting in Birmingham, and

with such other inferior courts in Jefferson County where the amount in controversy exceeds the sum of $100.00 and does not exceed the sum of $500.00; to define the jurisdiction and powers of said Court, the judge, clerks and other officers thereof: to provide for places for holding said court, term and salary of said judge, the manner of his appointment and election, and the payment of his salary: to provide for the abolishment of the Court of General Sessions of Jefferson County formerly known as the Court of Common Claims: to provide for the transfer of all pending cases and records of the said court to the court created by this Act.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the ppresence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 129. To amend Title 7, Section 727, et seq., of the Code of Alabama of 1940 so as to provide for the redemption of real estate within one year after sale under execution or by virtue of any decree in the Circuit Court or under any deed of trust or power of sale in a mortgage.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills, your signature thereto is requested:

S. 49. To provide penalties for persons convicted of stealing fish from persons engaged in fish farming.

Also:

S. 120. To Repeal Title 15, Section 137, Code of Alabama, 1940, as amended.

Also:

S. 121. To Repeal Title 15, Section 136, Code of Alabama, 1940, as amended.

Also:

S. 122. To Repeal Title 15, Section 135, Code of Alabama, 1940, as amended.

Also:

S. 138. To authorize the governing bodies of municipal corporations of this state to elect a deputy recorder or deputy recorders; such deputy recorders, when so elected and serving, shall have and possess the identical power and authority granted by law to recorders; providing for the term of office and salary of such deputy recorders.

Also:

S. 174. To provide for the creation and operation of a Board of the State of Alabama to be known as the Beautification Board of the State of Alabama; providing for the appointment of said Board; setting out the qualifications of members; determining the method of filling vacancies; providing for the organization of the Board and for meetings and setting out the powers and duties of the Board.

Also:

S. 251. To authorize the creation of public corporations as authorities for the study, control, abatement and prevention of water, air, or general environmental pollution; to allow the construction, acquisition and ownership by such corporations of facilities for this purpose; to prescribe the powers, duties, composition and financing of such corporations; to provide for cooperation with political subdivisions and other agencies and instrumentalities of the state, and to exempt such authorities from taxation.

Also:

S. 477. To make it unlawful and constitute a misdemeanor to build, maintain or use an insanitary sewage collection, treatment and disposal facility within the State, but excluding certain plumbing within municipalities; to authorize the State Board and/or County Boards of Health to adopt rules and regulations for the administration of this Act; to authorize the State Board of Health and/or County Boards of Health to require the installation of required type and number of facilities; to require the submission of plans and specifications applying to sewage collection, treatment and disposal to the State Board of Health and/or County Boards of Health; provides for the approval of plans and specifications and issuance of permits for construction; to repeal Title 22, Section 73 Code of Alabama 1940 and Code of Alabama Recompiled 1958; and to provide penalties for violation of this Act, and certain rules and regulations.

Also:

S. 506. To validate moral obligations, not exceeding One Hundred and Sixty Dollars ($160.00) in amount, paid by the State Training School for Girls for motor vehicle accidents involving employees and for injuries to employees as a result of performance of their duties during the period October 1, 1966 through September 30, 1968.

Also:

S. 519. To provide that certain School Lunchroom Managers and Assistant Lunchroom Managers may become members of the Teachers' Retirement System of Alabama and shall receive all the benefits provided for teachers under the provisions of the Code of Alabama 1940, Title 52, Chapter 14; to place the duty of collecting the employees' contributions to the Teachers' Retirement System on the County or City Board of Education employing such School Lunchroom Managers and Assistant Lunchroom Managers and also the duty of remitting to the Secretary-Treasurer of the Retirement System the employees' contributions to the Retirement System; to provide for the payment of the Employer contributions as necessary and providing for prior service of such School Lunchroom Managers and Assistant Lunchroom Managers out of funds in the Alabama Special Educational Trust Fund, and to make an appropriation to carry out the provisions of this Act.

Also:

S. 520. To provide for the control of air pollution within the State of Alabama; to create and establish an Air Pollution Control Commission; to prescribe the jurisdiction, powers, duties and functions of the Air Pollution Control Commission; to provide for an executive director of the Commission; to provide for the enforcement of the Act and orders, rules and regulations adopted by the Air Pollution Control Commission; prescribing penalties and making appropriations.

Also:

S. 521. To amend Section 402 of Title 51 of the Code of Alabama of 1940, as heretofore amended, to provide for the allowance of a deduction, for Alabama corporate income tax purposes, for all amounts invested in devices, parts of devices, systems or facilities used or placed in operation in the State of Alabama, or to be used or placed in operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, to provide for, in lieu of such deduction, the amortization of all such amounts over such period (not exceeding the useful life of the devices, parts, systems or facilities for which such amounts were expended) as shall be specified in the tax return respecting the taxable year during which such amounts were expended and for appropriate deductions of the amounts so amortized, to provide that the taking of any such deductions shall be optional with the taxpayer, to provide that any such deduction, if taken, shall be in lieu of any other allowance for depreciation or obsolescence with respect to such devices, parts, systems or facilities, and to provide that none of such deductions shall be subject to any apportionment or allocation otherwise required and that all thereof shall be allowed in full.

Also:

S. 522. To amend Section 2 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt from ad valorem taxation all devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Also:

S. 523. To amend Section 348 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, for purposes of computing the franchise tax on foreign corporations, of all amounts invested in all devices, identifiable parts of devices, systems and facilities used or placed in operation in the State of Alabama pri-

marily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Also:

S. 524. To amend Section 33 of Act No. 100 enacted at the 1959 Second Special Session of the Legislature of Alabama, as heretofore amended, so as to exempt from the provisions of said Act, and from the computation of the amount of sales tax levied, assessed or payable thereunder, the gross proceeds from the sale of all devices, identifiable parts of devices, systems or facilities used or placed in operation in the State of Alabama, or intended for use or operation in the State of Alabama, primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the gross proceeds from the sale of all materials used in the State of Alabama, or intended for use in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Also:

S. 525. To amend Section 25 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to provide for the deduction, from the assessed value of the shares of any Alabama corporation for the purpose of taxation of such shares, of the assessed value of all devices, identifiable parts of devices, systems and facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution.

Also:

S. 526. To amend Section 789 of Title 51 of the Code of Alabama of 1940, as heretofore amended, so as to exempt, from the state use tax, the storage, use or consumption of any devices, identifiable parts of devices, systems or facilities constructed, used or placed in operation in the State of Alabama primarily for the protection of the public and the public interest through the control, reduction or elimination of air or water pollution, and the storage, use or consumption of any materials used primarily for the protection of the public and the public interest through the control, reduction or elimination of air and water pollution.

Also:

S. 620. Relating to taxation; further defining terms used in administering state sales and use tax laws with respect to commercial fish feed.

Also:

S. 645. To create a state commission to be known as the State Capitol Preservation Commission; to provide for the number, term and appointment of members of the commission; to prescribe the commission's authority; and to provide that members of the commission shall serve without compensation or reimbursement of expenses.

Also:

S. 679. To exempt industrial development boards now or hereafter organized under the provisions of Act No. 648 adopted at the 1949 Regular Session of the Alabama Legislature, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

S. 680. To exempt medical clinic boards now or hereafter organized under the provisions of Act No. 516 adopted at the 1955 Regular Session of the Alabama Legislature, as amended, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

S. 768. To except bonds issued by a municipality under the provisions of Act No. 4 adopted at the 1956 Second Special Session of the Alabama Legislature, as amended, which Act relates to the promotion of trade by inducing commercial enterprises to locate in this State, from the laws of the State of Alabama governing usury or prescribing or limiting interest rates, including, without limitation, the provisions of Chapter 6 of Title 9 of the Code of Alabama of 1940.

Also:

S. 845. To amend Section 606, Title 51, Code of Alabama, 1940, relating to privilege licenses.

Also:

S. 827. To make an appropriation for the relief of Mrs. Hubert P. Gavin, of Camden.

Also:

S. 895. To provide for the revision, codification, digesting and promulgation of the public statutes of this State; to authorize the Governor to enter into a contract for such revision, codification, digesting and promulgation of such statutes; to designate the Legislative Council as a legislative committee to read, revise, amend and correct the manuscript of the Code; and to make an appropriation to effect the purposes of this Act.

Also:

S. 155. To amend Section 13 of Title 37, Code of Alabama 1940 by requiring the Judge of Probate to file certified copies of his order of incorporation in certain places and providing for a fee for such services.

Also:

S. 769. To amend Sections 4 and 5 of Act No. 743, H. 150, Regular Session 1957 (Acts 1957, p. 1143), as amended, entitled "An Act To provide for a refund of a portion of the state tax paid on gasoline which is used in propelling or operating tractors used exclusively for agricultural purposes, or which is used in operating auxiliary engines attached to and made a part of certain farm machinery; prescribing the procedure for effecting such refunds; prescribing the powers, duties, and authority of the commissioner of revenue in the administration and enforcement of the Act; defining violations of the Act and prescribing penalties therefor; and repealing Act No. 323, H. 35, approved August 7, 1949 (Acts of Alabama, 1949, p. 469)."

Also:

S. 71. To amend Title 52, § 136, Code of Alabama, as amended, to provide that teachers and other employees of County Boards of Education in the State of Alabama shall be permitted to accumulate and to be paid for leaves of absence due to sickness for not more than ninety days.

Also:

S. 569. To provide for purchasing and furnishing state-owned textbooks for certain state institutions.

Also:

S. 484. To amend Section 5 of Act No. 586, Acts 1957, Volume II, page 823, approved September 18, 1957, entitled, "An Act further regulating the traffic in narcotic drugs by forbidding unauthorized transportation or conveying of such drugs and providing that any vehicle, boat, aircraft or other conveyance used in the illegal carrying or transportation of narcotic drugs shall be contraband and forfeited to the State of Alabama in the manner prescribed in this Act."

Also:

S. 72. To amend Title 52, § 197, Code of Alabama, as amended, to provide that teachers and other employees of City Boards of Education in the State of Alabama shall be permitted to accumulate and to be paid for leaves of absence due to sickness for not more than ninety days.

Also:

S. 621. Relating to plants and plant products: To further amend Article 28 of Title 2 of the Code of Alabama of 1940 relating to insect pests and diseases injurious to plants and plant products by amending Section 451 defining words and terms used in said Article; to amend Sections 452, as amended, 453, and 455, as amended, of said Article which said Sections relate to inspection certificate requirements and fees for nurseries and dealers in nursery stock, registration requirements and fees for agents of nurserymen; requirements for official tags for nursery stock; and to prescribe certain administrative and enforcement duties and authority of the Commissioner of Agriculture and Industries.

Also:

S. 481. To amend Code of Alabama 1940, Title 41, Sections 211 and 221, which relate to offenses concerning county officers.

Also:

S. 159. To validate, in certain cases, municipal corporations attempted to be organized under the laws of Alabama and invalid because of any irregularity in the procedure for incorporation.

Also:

S. 160. To validate in certain cases elections heretofore held in municipalities or counties on the question of the issuance of bonds.

Also:

S. 287. To make a supplemental appropriation to the Commission on Physical Fitness.

Also:

S. 482. To amend Section 1 of Act No. 208, Acts of Alabama 1966 Special Session, page 256, approved August 26, 1966 entitled: "An Act to authorize, regulate and provide for the payment by the State of Alabama of compensation to the surviving dependents of certain peace or law enforcement officers and certain firemen who are killed or whose death results from an injury received in the course of his employment while he is engaged in the performance of his duties; to designate the state board of adjustment as the state agency or awarding authority to hear, determine and order the payment of claims for compensation hereunder; to make an appropriation for payment of awards."

Also:

S. 48. Making an appropriation from the state treasury for the relief of Mrs. James Charlie Hallman.

Also:

S. 157. To validate in certain cases elections heretofore held in municipalities or counties for the purpose of authorizing any special tax under the Constitution.

Also:

S. 154. To amend Section 156, Title 41, Code of Alabama 1940, to require the governing body of any county or any incorporated municipality to approve or disallow statement of traveling expenses of any officer or employee of such county or municipality within thirty days after presentment.

Also:

S. 651. To amend Act No. 187, H. 33, Legislature of Alabama of 1953, approved July 2, 1953, (Acts of Alabama, 1953, Vol. 1, p. 240), entitled "An Act to eradicate and prevent the spread of diseases of swine in Alabama by regulating the feeding of garbage to swine", etc.; by amending Section 4 thereof relating to annual permit fees and to require persons who feed garbage to swine to pay the cost of inspections for the purpose of determining whether the requirements of this Act are being complied with as such costs are approved by the State Board of Agriculture and Industries.

Also:

S. 603. To make it unlawful to tear down, deface, or change a detour sign, warning sign, barricade or fence or to drive around a barricade or fence and drive upon a section of road not officially opened until it be opened to general traffic by competent authority.

Also:

S. 479. To amend Title 22, Section 236, Code of Alabama 1940, as amended, by requiring a pharmacist to maintain separate prescription files for narcotic prescriptions.

Also:

S. 762. To propose an amendment to the Constitution of Alabama to authorize the levying of a special school tax in each county in which a junior college is located for the support of the junior colleges within the county.

Also:

S. 761. To grant authority to junior colleges and trade schools to borrow money in anticipation of current revenues and pledge current revenues for payment of such loans if funds are not sufficient to pay teachers' salaries for any given month.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the Report of the Committee on Conference appointed to reconcile the differences between the two Houses on the House amendment to the Bill:

S. 674. To regulate further the office of sheriff in this State; to prescribe the annual salaries of sheriffs of the several counties of the state classified on a population basis; to provide for operation of the sheriff's office on a salary basis; to provide for and regulate the collection of sheriffs' fees and the payment thereof into the county treasury; to repeal conflicting laws, general, local and special.

said Conference Report being in words and figures as follows, to-wit:

REPORT OF COMMITTEE OF CONFERENCE ON SENATE BILL 674

We, the committee of conference appointed to reconcile the differences between the two houses concerning the bill, S. B. 674, have met and considered the matter referred and beg leave to report as follows:

Amend Senate Bill 674, as amended by Substitute, by substituting for Section 1 of said bill the following numbered Section 1:

"Section 1. Sheriffs of the several counties in this State shall be compensated for their services by an annual salary payable in equal installments out of the county treasury as the salaries of other county employees are paid. The annual salary of the sheriff shall depend on the number of inhabitants of the county as shown by the most recent federal decennial census of population of the county and shall be in such amount as is hereinafter prescribed:

"In counties having a population of 12,400 or less, the annual salary of the sheriff shall be $10,000. In counties having populations of not more than 20,000 nor less than 12,400, the annual salary of the sheriff shall be $12,000, except that in all counties having a population of not less than 15,000 nor more than 15,300, the annual salary of the sheriff shall be $8,400.

"In counties having populations of not less than 20,000 nor more than 30,000 the annual salary of the sheriff shall be $13,000, except that in all counties having a population of not less than 24,800 nor more than 25,400, the annual salary of the sheriff shall be $12,000, and in all counties having a population of not less than 16,150 nor more than 17,350 the annual salary shall be set by the county governing body by resolution properly adopted in an amount not to exceed $12,000.

"In counties having populations of not less than 30,000 nor more than 96,000 the annual salary of the shariff shall be $15,000, except that in all counties having a population of not less than 50,000 nor more than 51,000 the annual salary of the sheriff shall be $12,000, except in counties having a population of not less than 48,500 nor more than 49,500 the salary of the sheriff shall be $16,000, except in counties having a population of not less than 31,000 nor more than 32,000, the annual salary of the sheriff shall be $12,000, except in counties having a population of not less than 61,000 nor more than 62,000, the annual salary of the sheriff shall be $13,500, except in counties having a population of not less than 65,000 nor more than 70,000, the annual salary of the sheriff shall be $14,000, except in counties having a population of not less than 48,000 nor more than 49,000, the annual salary of the sheriff

shall be $12,000, except in counties having populations of not less than 41,000 nor more than 45,000 the annual salary of the sheriff shall be set by the county governing body by a resolution duly adopted in an amount not to exceed $15,000; provided, however, this Act shall not apply to counties having a population of not less than 37,000 nor more than 41,000.

"In counties having populations of not less than 96,000 nor more than 125,000, the annual salary of the sheriff shall be $16,500;

"In counties having populations of not less than 125,000 nor more than 500,000 the annual salary of the sheriff shall be $18,000;

"In all counties having a population of more than 500,000 the annual salary of the sheriff shall be $19,000.

"Such salary shall be in lieu of all fees, compensation, allowances, percentages, charges and costs, except as herein otherwise provided. The sheriff and his deputies shall, however, be entitled to collect and retain such mileage and expense allowances as may be payable according to law for returning or transferring prisoners and insane persons to or from points outside the county."

Also, amend Senate Bill 674, by substituting for Section 2 of said bill the following numbered Section 2:

"Section 2. All fees, commissions, percentages, allowances, charges and court costs heretofore collectible for the use of the sheriff and his deputies including the allowances and amounts received for feeding prisoners, shall be collected and paid into the general fund of the county except that in all counties having a population of not less than 50,000 nor more than 51,000 and in counties having a population of not less than 56,000 nor more than 60,000 both as shown by the most recent decennial census of said counties shall be paid the allowances authorized for the feeding of prisoners and in those counties where sheriff's office is now authorized by law to collect the allowances for the feeding of prisoners, shall be allowed to continue to collect and retain said amounts and allowances received from the feeding of prisoners."

WALTER H. LINDSEY, JR.
J. J. PIERCE
DAN STONE
Senate Conferees

D. COOK (Coffee)
RALPH MEADE
J. A. CRAWFORD
House Conferees

And said Bill, S.B. 674, together with the Conference Report, is herewith sent to the House for its consideration.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Cook (Coffee), the House concurred in and adopted the Report of the Committee of Conference on the disagreement of the two Houses on the House amendment to the bill, S. 674, said report being set out in the above and foregoing Message from the Senate.

Yeas 71; Nays 11.

Yeas:

Mr. Speaker	Doss	Lemley	Pearson
Adwell	Downing	Lybrand	Pennington
Agee	Drake	Malone	Pruitt
Bank	Edington	Manley	Robertson
Bassett	Ellis	Mays	Sessions
Beck	Foshee	McCorquodale	Slate
Berryman (W)	Garrett	McDonald	Snell
Blanton	Graham	McElhaney	Starnes
Brannan	Grainger	McLain	Stembridge
Brassell	Grayson	Meade	Stubbs
Brown	Hain	Melton	Tuck
Burgess	Hardin	Merrill	Turnham
Burgreen	Harper	Money	Waggoner
Collins (W)	Headley	Nettles	Williams
Cook (Coffee)	Hill	Owen (Baldwin)	Wright
Cook (Jefferson)	Jackson (F)	Owens (W)	Yeilding
Crawford	Jackson (T)	Owens (W.E.)	Young
Dill	Jones	Paulk	—71

Nays:

Messrs.:	Culver	Marr	Perloff
Collier	Kilgore	Meeks	Smith
Collins (C)	Lyons	Neville	Wood
			—11

And the bill, S. 674, as thus amended, was again read a third time and passed.

Yeas 71; Nays 11.

Yeas:

Mr. Speaker	Doss	Lemley	Pearson
Adwell	Downing	Lybrand	Pennington
Agee	Drake	Malone	Pruitt
Bank	Edington	Manley	Robertson
Bassett	Ellis	Mays	Sessions
Beck	Foshee	McCorquodale	Slate
Berryman (W)	Garrett	McDonald	Snell
Blanton	Graham	McElhaney	Starnes
Brannan	Grainger	McLain	Stembridge
Brassell	Grayson	Meade	Stubbs
Brown	Hain	Melton	Tuck
Burgess	Hardin	Merrill	Turnham
Burgreen	Harper	Money	Waggoner
Collins (W)	Headley	Nettles	Williams
Cook (Coffee)	Hill	Owen (Baldwin)	Wright
Cook (Jefferson)	Jackson (F)	Owens (W)	Yeilding
Crawford	Jackson (T)	Owens (W.E.)	Young
Dill	Jones	Paulk	—71

Nays:

Messrs.:	Culver	Marr	Perloff
Collier	Kilgore	Meeks	Smith
Collins (C)	Lyons	Neville	Wood
			—11

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bills and Senate Joint Resolutions, your signature thereto is requested:

S. 502. Relating to the dispensing of minimum program school funds by the state board of education; providing for the direct payment thereof to certain independent city boards of education; relieving county boards of education in which such cities are located of certain duties and imposing such duties on city boards of education; providing for the implementation of this act.

Also:

S. 583. To provide for the participation of the State of Alabama in the Compact for Education; providing for a designation of its membership, purpose, powers and to make an appropriation therefor.

Also:

S. 593. To authorize and provide for the establishment, maintenance, operation and financing of a Public Law Library in Colbert County, Alabama; to authorize the governing body of said County to expend public funds under its control therefor; to provide for the taxing and collection of additional court costs in certain Courts in said County for such purpose and for the expenditure thereof; to designate the officers to accomplish said purpose and to define the powers and duties of such officers with respect thereto, and to designate personnel to operate said Library or to assist therein, and provide for employment of additional personnel for said purpose, and the payment of salaries of such personnel. To provide further for the distribution of fines and forfeitures in certain cases.

Also:

S. 113. To amend Section 184, Title 39, Code of Alabama 1940, as amended, relating to Sundays and holidays so as to provide for the observance of certain legal public holidays on Mondays.

Also:

S. 873. To fix the compensation of the judge of probate and the sheriff in all counties having populations of not less than sixteen thousand one hundred and fifty (16,150) and not more than seventeen thousand three hundred and fifty (17,350) according to the last or any subsequent Federal decennial census and to provide an effective date to begin at the next term of office.

Also:

S. 369. Relating to state colleges and universities; authorizing and providing for appointment of police officers to maintain law and order at such institutions.

Also:

S. 866. To authorize and provide for the establishment, operation and financing of a public defender office in those judicial circuits of the State of Alabama having a State Penitentiary population of not less than one thousand, seven hundred inmates; to define the powers, duties of and limitations upon such public defenders; to provide for the selection of such public defenders and their compensation and expenses of said office; to provide for the resignation and removal of such public defenders.

Also:

S. 720. To authorize county and city boards of education to use certain portions of federal funds allocated pursuant to Title 1 for part payment of the salaries and expenses of certain county and city superintendents of education, and to provide for the determination of such proportionate amounts.

Also:

S. 285. Relating to penal institutions; providing for deductions from sentences of prisoners who donate blood to the American Red Cross.

Also:

S. 205. Relating to crimes and offenses; defining certain crimes relative to credit cards, including offenses relative to obtaining, possessing, using, dealing in, forging, signing and providing goods and services upon presentation of a credit card; prescribing certain presumptions and proscribing certain defenses relative to the crimes hereby defined; prescribing penalties; and providing that this act is cumulative.

Also:

S. 637. To limit the period in which an appeal may be taken to the Supreme Court from any action or proceeding to set aside, contest or question the validity of any bonds or other securities issued or proposed to be issued by the State of Alabama, or by any department, commission, board, public corporation, authority, or other agency or instrumentality thereof; to set the time for the filing of the transcript of such appeal in the Supreme Court and of appellant's and appellee's briefs therein, and to establish a procedure for the hearing of such appeals by the Supreme Court.

Also:

S. 378. To provide for the delineation and designation of state planning and development districts and to authorize the governing bodies of counties and municipalities to establish regional planning and development commissions compatible with such state districts.

Also:

S. B. 277. To amend Code of Alabama 1940, Title 22, Sections 37 and 42; Provision of blanks by the state registrar, issue of instructions, examination of certificates, and securing of additional information to complete the records, prescribed; increasing the fees for record and statistical services and appropriating fee receipts for operation of the vital statistics system.

Also:

S. 80. To amend further Act No. 47, Special Session 1961, approved September 15, 1961 (Acts 1961, v. 2, p. 1904), which Act exempts certain religious, benevolent and civic institutions and organizations from taxation and licenses, so as to grant exemptions to Boys' Ranch, the North Alabama T. B. Association, and the Eufaula Heritage Association.

Also:

S. 146. To authorize a qualification fee for all candidates in municipal elections held in this state, prescribing the manner and time of the fixing of such fees and imposing a limit in the amount thereof.

Also:

S. 760. To create a junior college board; to repeal conflicting laws.

Also:

S. 674. To regulate further the office of sheriff in this State; to prescribe the annual salaries of sheriffs of the several counties of the state classified on a population basis; to provide for operation of the sheriff's office on a salary basis; to provide for and regulate the collection of sheriffs' fees and the payment thereof into the county treasury; to repeal conflicting laws, general, local and special.

Also:

S. J. R. 112. Encouraging the citizens of Alabama to exercise their rights to freedom of choice of schools.

Also:

S. J. R. 123. Commending Senator O. J. Goodwyn.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILLS AND SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Bills and Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the thirty-sixth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the thirty-sixth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the thirty-sixth legislative day was approved.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 1:45 P. M. On September 4, 1969:

H. 283

H. 1299

H. 924

H. 1110
H. 1215
H. 1214
H. 1213
H. 1207
H. 918
H. 1337
H. 1066
H. 1071
H. 1108
H. 1109
H. 1200
H. 1201
H. 1216
H. 1217
H. 1212
H. 1042
H. 1044
H. 1197
H. 1190
H. 708
H. 732
H. 1100
H. 1099
H. 1008
H. 420
H. 886
H. 858
H. 888
H. 891
H. 857
H. 830
H. 1016
H. 1091
H. 1103
H. 1102

H. 1101
H. 1226
H. 1225
H. 1224
H. 1221
H. 1168
H. 1397
H. 1037
H. 1284
H. 749
H. 534
H. 861
H. 889
H. 862
H. 1107
H. J. R. 107
H. J. R. 129
H. J. R. 130
H. J. R. 133
H. J. R. 134
H. J. R. 137
H. J. R. 140
H. J. R. 141
H. 1166
H. 1165
H. 1164
H. 1141
H. 923
H. 925
H. 1115
H. 1085
H. 23
H. 1297
H. 1230
H. 260
H. 1163

H. 1167
H. 1186
H. 1187
H. 1191
H. 1231
H. 1194
H. 1198
H. 1241
H. 1242
H. 1111
H. 1260
H. 1259
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H. 1255
H. 1189
H. 1106
H. 1254
H. 1256
H. 1162
H. 1054
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H. 1232
H. 1179
H. 1122
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H. 336
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H. 632
H. 1120
H. 1208
H. 1123
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H. 1286
H. 1287
H. 1292
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H. 1300
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H. 1269
H. 1332
H. 1270
H. 1267
H. 1276
H. 1268
H. 1404
H. 673
H. 1180
H. 596
H. 990
H. 1077
H. 1078
H. 1079
H. 1081
H. 1083
H. 1036
H. 994
H. 81
H. 236
H. 309
H. 1407
H. 272
H. 584
H. 1063
H. 1427
H. 562
H. 1308
H. 1307
H. 3
H. 1004
H. 593
H. J. R. 123
H. J. R. 127

H. J. R. 136
H. J. R. 154
H. J. R. 156
H. 71
H. 958
H. 803
H. 320
H. 755
H. 811
H. 1013
H. 621
H. 622
H. 189
H. 1038
H. 1258
H. 793
H. 1339
H. 1203
H. 972
H. 91
H. 973
H. 841
H. 842
H. 57
H. 439
H. 796
H. 728
H. 566
H. 567
H. J. R. 121
H. J. R. 122
H. J. R. 125
H. 513
H. 899
H. 35
H. 949

H. 1018
H. 1095
H. 1204
H. 1328
H. 1349
H. 1352
H. 1363
H. 1405
H. 1035
H. 1082
H. 1347
H. 1348
H. J. R. 158
H. J. R. 159
H. J. R. 160
H. J. R. 138
H. J. R. 124
H. J. R. 144
H. J. R. 146
H. J. R. 148
H. J. R. 149
H. J. R. 150
H. J. R. 151
H. 1530
H. 1173
H. 675
H. 780
H. 942
H. 993
H. 1360
H. 1364
H. 1365
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H. 975
H. 779
H. 820
H. 471
H. 847
H. 1392
H. 1265
H. 1137
H. 1416
H. 274
H. 1400
H. 1390
H. 1387

H. 1395

H. 635

H. J. R. 161

H. J. R. 162

H. J. R. 163

H. J. R. 164

H. J. R. 165

Delivered to the Secretary of State at 1:45 P. M. On September 4, 1969:

H. 1088

Delivered to the Secretary of State at 3:20 P. M. On September 4, 1969:

H. 1157

H. 1193

H. 1202

H. 1223

H. 512

H. 778

H. 1408

Delivered to the Governor at 6:05 P. M. On September 4, 1969:

H. J. R. 155

H. J. R. 157

H. 621 (Ex. Amdt)

Delivered to the Governor at 9:00 P. M. On September 4, 1969:

H. 892

H. 822

H. J. R. 174

Delivered to the Governor at 9:35 P. M. On September 4, 1969:

H. 614

Delivered to the Governor at 11:58 P. M. On September 4, 1969·

H. 288

H. 2

H. 109

H. 106

H. 829

H. 926

H. 928
H. 900
H. 1182
H. 1362
H. 1253
H. 1417
H. J. R. 179
H. J. R. 181
H. J. R. 182
H. J. R. 131

Delivered to the Governor at 12:00 M on September 4, 1969:

H. 1428
H. 1361
H. 1320
H. 1545
H. 1546
H. 1547
H. 1447
H. 1513
H. 1512
H. 1472
H. 1473
H. 1491
H. 1357
H. 1311
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H. 1484
H. 1117
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H. 1556
H. 1344
H. 1507
H. 1496
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H. 1441
H. 1514
H. 1477
H. 1445
H. 1528
H. J. R. 128
H. J. R. 139
H. J. R. 145
H. J. R. 167
H. J. R. 168
H. 1527
H. 1414
H. 1133
H. 1134
H. 598
H. 1415
H. 1532
H. 1567
H. 1450
H. 1449
H. 1502
H. 1526
H. 1495
H. 1494
H. 1493
H. 877
H. 1478
H. J. R. 172
H. J. R. 175
H. J. R. 176

H. J. R. 177
H. 1479
H. 1174
H. 1175
H. 1424
H. 1562
H. 1443
H. 1448
H. 1442
H. 1474
H. 1062
H. 1540
H. 1454
H. 1543
H. 1539
H. 1433
H. 1451
H. 1434
H. J. R. 178
H. J. R. 183
H. 213
H. 682
H. 1452
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H. 1380
H. 1432
H. 1555
H. 455
H. 1138
H. 1461
H. 1459
H. 1463
H. 1504
H. 1466
H. 1505
H. 1047

H. 1423

H. 1511

H. 1525

H. 823

H. 1011

H. 1013

H. 1118

Delivered to the Secretary of State at 12:00 M. On September 4, 1969:

H. 1533

JOHN W. PEMBERTON,
Clerk.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to notify the House that the Senate stands ready to adjourn sine die.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

Under the provisions of S. J. R. 119, the President and Presiding Officer of the Senate has appointed as members on the Joint Interim Committee on Mental Health Messrs. Lindsey and Pelham.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

Under the provisions of S. J. R. 83, the President and Presiding Officer of the Senate has appointed as members on the Joint Interim Committee on Legislative Reform Messrs. Dominick, Torbert and Skidmore.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

Under the provisions of H. J. R. 157, the President and Presiding Officer of the Senate has appointed as members on the Joint Interim Committee on Legislative and Lobbying Ethics Messrs. Clark, Pierce, Engel and Harris.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

Under the provisions of H. J. R. 128, the President and Presiding Officer of the Senate has appointed as members on the Joint Interim Committee on Revenue Messrs. Turner, Oden, Morrow and Nabors.

McDOWELL LEE,
Secretary.

COMMITTEE APPOINTMENT

Under the provisions of S. J. R. 119, the Speaker of the House has appointed as members on the Joint Interim Committee on Mental Health Messrs. Bank, Bowers and McCorquodale.

COMMITTEE APPOINTMENT

Under the provisions of S. J. R. 83, the Speaker of the House has appointed as members on the Joint Interim Committee on Legislative Reform Messts. Mathews, Sessions, Laxson and Dill.

COMMITTEE APPOINTMENT

Under the provisions of H. J. R. 157, the Speaker of the House has appointed as members on the Joint Interim Committee on Legislative and Lobbying Ethics Messrs. Gloor, Brassell, Owen (Baldwin), Shumate and Stubbs.

COMMITTEE APPOINTMENT

Under the provisions of H. J. R. 128, the Speaker of the House has appointed as members on the Joint Interim Committee on Revenue Messrs. Neville, Bassett, Grainger, Young, and Manley.

MESSAGE FROM THE SENATE

Mr. Speaker:

Under the provisions of H. B. 513, the President and Presiding Officer of the Senate has appointed as members on the Alabama Constitutional Commission Messrs. O'Bannon and McDermott.

McDOWELL LEE,
Secretary.

COMMITTEE APPOINTMENT

Under the provisions of H. B. 513, the Speaker of the House has appointed as members on the Alabama Constitutional Commission Messrs. Merrill, Garrett and Marr.

COMMITTEE APPOINTMENT

Under the provisions of S. J. R. 101, the Speaker of the House has appointed as Committee on part of the House Messrs. Owens (W), Ellis, Collins (W) and Melton.

MESSAGE FROM THE SENATE

Mr. Speaker:

Under the provisions of S. J. R. 101, the President and Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Cooper, Vacca and Stone.

McDOWELL LEE,
Secretary.

ADJOURNMENT

On motion of Mr. Meade, the House adjourned sine die at 11:31 o'clock P. M.

Yeas 65; Nays 20.

Yeas:

Mr. Speaker	Fine	Lyons	Owen (Baldwin)
Agee	Foshee	Malone	Owens (W)
Bassett	Gafford	Manley	Owens (W.E.)
Beck	Gloor	Marr	Pennington
Blanton	Graham	Mathews	Perloff
Brannan	Grayson	Mays	Pruitt
Brassell	Hain	McCorquodale	Slate
Burgess	Hardin	McDonald	Snell
Burgreen	Harper	McElhaney	Starnes
Collier	Headley	Meade	Stembridge
Collins (W)	Higginbotham	Meeks	Tuck
Cook (Jefferson)	Jackson (F)	Melton	Williams
Crawford	Jackson (T)	Merrill	Wood
Dobbs	Kilgore	Money	Wright
Downing	Laxson	Nettles	Yeilding
Drake	Lybrand	Neville	Young
Ellis			—65

Nays:

Messrs.:	Doss	Jones	Sessions
Bank	Edington	Lemley	Smith
Brown	Garrett	McLain	Stubbs
Cherner	Grainger	Pearson	Turnham
Collins (C)	Hill	Robertson	Waggoner
Culver			—20

RANKIN FITE,
Speaker of the House of Representatives
of the Legislature of Alabama,
Regular Session, 1969.

Attest:

JOHN W. PEMBERTON
Clerk of the House of Representatives
of the Legislature of Alabama,
Regular Session, 1969.

HOUSE OF REPRESENTATIVES

REGULAR SESSION 1969

ALPHABETICAL ROSTER AND DISTRICT

Robert G. Adwell, 14
Grover Lamar Agee, 33
Bert Bank, 18
L. Gardner Bassett, 36
W. M. Beck, Jr., 8
Robert R. Berryman, 2
(died July 10, 1969)
W. Anderson Berryman, 5
John H. Blanton, 28
Lyndol Bolton, 20
Quinton R. Bowers, 14
L. W. Brannan, Jr., 38
Bowen Brassell, 32
Ralph Brown, 18
Ray Burgess, 16
Edward Burgreen, 2
James W. Cameron, 35
Bennett L. Cherner, 14
Ernest S. Collier, 30
Clara Stone Collins, 37
W. M. Collins, 37
Drexel Cook, 41
John W. Cook, 14
Verbon E. Crane, 14
J. F. Crawford, 43
John L. Culver, 18
Richard F. Dill, 14
Oscar C. Dobbs, 13
Leslie Doss, 6
Maurice A. Downing, 37
Tom Drake, 7
Robert S. Edington, 37
Robert L. Ellis, Jr., 14
Dave Fine, 12
Rankin Fite, 9
E. C. Foshee, 40
Robert Charles Gafford, 14
W. E. Garrett, 34
Tom Gloor, 14
Bryce U. Graham, 5
Charles Grainger, 3
John William Grayson, 37
B. V. Hain, 28
W. E. Hardin, 36
Owen Harper, 25
Harold Harris, 35
James H. Haygood, 1
Lewis W. Headley, 24
G. J. Higginbotham, 32
Robert M. Hill, Jr., 1
Walker Hobbie, Jr., 35
Edwin Holladay, 15
R. F. Holman, 14
Frank House, 14
Frank Jackson, 40
Thomas H. Jackson, 14
Tom Jones, 3
Hubert Kilgore, 14
Shelby Allen Laxson, 3
Bill L. Lemley, 10
Fred Ray Lybrand, 16
G. Sage Lyons, 37
Richard Malone, 11
Richard S. Manley, 27
Thomas M. Marr, 37
Charles T. Mathews, 21
J. M. Mays, 39
Joe C. McCorquodale, Jr., 33
Sid McDonald, 7
Howard E. McElhaney, 35
Gene McLain, 3
Ralph A. Meade, 8
J. Paul Meeks, Jr., 14
William D. Melton, 34
Hugh D. Merrill, 16
Joe J. Money, 14
Bet Nettles, 37
William V. Neville, Jr., 31
L. D. Owen, Jr., 38
Walter Owens, 23
W. E. Owens, 11
James L. Paulk, 31
Leon P. Pearson, 29
Harry L. Pennington, 3
Mayer W. Perloff, 37
Ira D. Pruitt, 27
Edward D. Robertson, 18
Tram Sessions, 14
Alonzo Shumate, 13
Ralph E. Slate, 6
Philip H. Smith, 20
Charles Snell, 26
Curtis H. Springer, Jr., 35
John W. Starnes, 7
Henry B. Steagall, II, 42
R. J. Stembridge, 43
Tom Stubbs, 19
Edwin A. Tuck, 17
Pete Turnham, 32
James T. Waggoner, Jr., 14
E. T. Watkins, 14
Raymond Weeks, 14
Bill Williams, 4
James C. Wood, 37
L. Charles Wright, 11
Newman M. Yeilding, 14
Gus W. Young, 22

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA

REGULAR SESSION 1969

OFFICERS

RANKIN FITE, *Speaker,* Hamilton

HUGH D. MERRILL, *Speaker Pro-Tem,* Anniston

JOHN W. PEMBERTON, *Clerk,* Montgomery

ELIZABETH W. WILSON, *Assistant Clerk,* Montgomery

RICHARD C. BELSER, *Reading Clerk,* Montgomery

MEMBERS OF THE HOUSE

Dist. No.	Counties	Name	Address
1	LAUDERDALE		
	Place No. 1		
		James H. Haygood	2815 Womble St., Florence 35630
	Place No. 2		
		Robert M. (Bob) Hill, Jr.	P. O. Box 687, Florence 35630
2	LIMESTONE & LAWRENCE		
	Place No. 1		
		Edward Burgreen	210 S. East St., Athens 35611
	Place No. 2		
		Robert R. Berryman	P. O. Box 742, Moulton 35650
		(Died July 10, 1969)	
		Kylie T. Berryman	P. O. Box 742, Moulton 35650
3	MADISON		
	Place No. 1		
		Tom Jones	P. O. Box 472, Huntsville 35804
	Place No. 2		
		Charles E. Grainger	300 Sparkman Dr., Huntsville 35805
	Place No. 3		
		Harry L. Pennington	809 Shoney Dr., SW, Huntsville 35801
	Place No. 4		
		Eugene M. McLain	P. O. Box 2005, Huntsville 35804
	Place No. 5		
		Shelby Allen (Billy) Laxson	602 California St., Huntsville 35801
4	JACKSON		
		Bill Williams	P. O. Box 220, Bridgeport 35740
5	COLBERT & FRANKLIN		
	Place No. 1		
		Bryce U. Graham	1533 Woodmont Dr., Tuscumbia 35674
	Place No. 2		
		W. Anderson Berryman	Rt. 5, Russellville 35653

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

6 MORGAN

Place No. 1
Leslie Doss ..... 2317 Quince Dr., SE, Decatur 35601

Place No. 2
Ralph E. Slate ..... 1310 Plaza St., Decatur 35601

7 MARSHALL & CULLMAN

Place No. 1
John W. Starnes ..... P. O. Box 262, Guntersville 35976

Place No. 2
Sid McDonald ..... Box 546, Arab 35016

Place No. 3
Tom Drake ..... P. O. Box 46, Cullman 35055

8 DeKALB & CHEROKEE

Place No. 1
W. M. Beck, Jr. ..... P. O. Box 66, Fort Payne 35967

Place No. 2
Ralph A. Meade ..... Cedar Bluff 35959

9 MARION & WINSTON

Rankin Fite ..... P. O. Box 157, Hamilton 35570

10 BLOUNT

Bill L. Lemley ..... P. O. Box 456, Oneonta 35121

11 ETOWAH

Place No. 1
Richard Malone ..... 309 So. 8th St., Gadsden 35901

Place No. 2
L. Charles Wright ..... P. O. Box 405, Gadsden 35902

Place No. 3
W. E. (Bill) Owens, Jr. ..... 1243 Sangster Rd., Gadsden 35901

12 LAMAR & FAYETTE

Dave Fine ..... Box 276, Sulligent 35586

13 WALKER

Place No. 1
Alonzo Shumate ..... Rt. 6, Jasper 35501

Place No. 2
Oscar C. Dobbs ..... Rt. 2, Cordova 35550

14 JEFFERSON

Place No. 1
J. Paul Meeks, Jr. ..... 3043 Weatherton Dr., Birmingham 35223

Place No. 2
James T. Waggoner, Jr. ..... 1829 Mission Rd., Birmingham 35216

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

Place No. 3
Robert L. "Bob" Ellis, Jr. ..... Rt. 1, Box 509, Adamsville 35005

Place No. 4
Hubert Kilgore ..... 2208—3rd Ave., No., Irondale 35210

Place No. 5
Richard F. (Dick) Dill ..... 328 Observatory Dr., Birmingham 35206

Place No. 6
Joe Money ..... 3529 Belle Meade Ln., Birmingham 35223

Place No. 7
Bob Adwell ..... 209 Darlington St., Birmingham 35226

Place No. 8
Raymond Weeks ..... 3420-A Altamont Rd., Birmingham 35205

Place No. 9
E. T. (Tommy) Watkins ..... 973 Linwood Rd., Birmingham 35222

Place No. 10
Robert C. (Bob) Gafford ..... 5345 Division Ave., Birmingham 35212

Place No. 11
Tram Sessions ..... P. O. Box 2612, Birmingham 35202

Place No. 12
Newman "Red" Yeilding ..... 3340 Hermitage Rd., Birmingham 35223

Place No. 13
R. F. "Bob" Holman ..... 1245 S. 29th St., Birmingham 35205

Place No. 14
Verbon E. Crane ..... Box 98, Kimberly 35091

Place No. 15
Quinton R. Bowers ..... 1300 Chester St., Birmingham 35226

Place No. 16
John W. (Doug) Cook ..... 1620 Stonewall Dr., Birmingham 35226

Place No. 17
Frank House ..... 1110 Central Bank Bldg., Birmingham 35233

Place No. 18
Bennett L. (Ben) Cherner ..... P. O. Box 669, Bessemer 35021

Place No. 19
Tom Gloor ..... Box 666, Bessemer 35020

Place No. 20
Thomas H. Jackson ..... 1812—3rd Ave., Bessemer 35020

15 ST. CLAIR

Edwin Holladay ..... 818 Cogswell Ave., Pell City 35125

16 CALHOUN

Place No. 1
Ray Burgess ..... 501 E. 49th Street, Anniston 36201

Place No. 2
Hugh D. Merrill ..... P. O. Box 1498, Anniston 36201

Place No. 3
Fred Ray Lybrand ..... Box 1849, Anniston 36201

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

17 PICKENS & GREENE

Edwin A. Tuck ..... P. O. Box 554, Eutaw 35462

18 TUSCALOOSA

Place No. 1
John L. Culver ..... Rt. 3, Box 166, Tuscaloosa 35401

Place No. 2
Edward D. Robertson ..... Box 331, Northport 35476

Place No. 3
Ralph D. "Doc" Brown ..... 2210—10th Avenue, Tuscaloosa 35401

Place No. 4
Bert Bank ..... P. O. Box 2149, Tuscaloosa 35401

19 SHELBY

Tom Stubbs ..... Rt. 1, Box 14, Helena 35080

20 TALLADEGA

Place No. 1
Lyndol Bolton ..... Box 227, Sylacauga 35150

Place No. 2
Philip H. (Phil) Smith ..... P. O. Box 15, Talladega 35160

21 CLAY & COOSA

Charles (Pete) Mathews ..... Box 355, Ashland 36251

22 CLEBURNE & RANDOLPH

Gus W. Young ..... Rt. 1, Graham 36263

23 HALE & BIBB

Walter Owens ..... 107 Court Square, W., Centreville 35042

24 CHILTON

Lewis W. Headley ..... P. O. Box 471, Clanton 35045

25 TALLAPOOSA

Owen Harper ..... 502 Lilly Ave., East Tallassee 36023

26 CHAMBERS

Charles Snell ..... 109 LaFayette St., Fairfax 36876

27 SUMTER, MARENGO & PERRY

Place No. 1
Ira D. Pruitt ..... P. O. Box 27, Livingston 35470

Place No. 2
Richard S. Manley ..... P. O. Box 338, Demopolis 36732

28 DALLAS

Place No. 1
John H. Blanton ..... 902 Alabama Ave., Selma 36701

Place No. 2
B. V. Hain ..... P. O. Drawer 1190, Selma 36701

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

29 AUTAUGA & LOWNDES

Leon P. Pearson ..... 1248 S. Main St., Prattville 36067

30 ELMORE

Ernest S. Collier ..... 408 Pine St., Wetumpka 36092

31 MACON, BULLOCK & BARBOUR

Place No. 1
James L. Paulk ..... Rt. 3, Box 198-A, Union Springs 36089

Place No. 2
William V. Neville, Jr. ..... N. Randolph Ave., Eufaula 36027

32 LEE & RUSSELL

Place No. 1
Bowen Brassell ..... P. O. Box 573, Phenix City 36867

Place No. 2
Pete Turnham ..... P. O. Box 1592, Auburn 36830

Place No. 3
G. J. Higginbotham ..... P. O. Box 585, Opelika 36801

33 CHOCTAW, CLARKE & WASHINGTON

Place No. 1
Grover Lamar Agee ..... P. O. Box 250, Chatom 36518

Place No. 2
Joe C. McCorquodale, Jr. ..... P. O. Box 535, Jackson 36545

34 WILCOX, MONROE & CONECUH

Place No. 1
W. E. (Gene) Garrett ..... P. O. Box 6, Uriah 36480

Place No. 2
Wm. D. (Billy) Melton ..... P. O. Box 188, Evergreen 36401

35 MONTGOMERY

Place No. 1
Harold Harris ..... Rt. 1, Box 145, Montgomery 36105

Place No. 2
James W. Cameron ..... 138 Adams Ave., Montgomery 36104

Place No. 3
Walker Hobbie, Jr. ..... Rt. 1, Box 384, Montgomery 36105

Place No. 4
Howard E. McElhaney ..... 416 So. Perry St., Montgomery 36104

Place No. 5
Curtis H. Springer, Jr. ..... 719-25 First National Bank Building, Montgomery 36104

36 BUTLER, CRENSHAW & PIKE

Place No. 1
L. Gardner Bassett ..... 206 Orange St., Troy 36081

Place No. 2
W. E. (Gene) Hardin ..... 240 Country Club Dr., Greenville 36037

ROSTER OF THE HOUSE OF REPRESENTATIVES OF ALABAMA—Continued

37 MOBILE

Place No. 1
James C. (Jim) Wood ..... 1010 Van Antwerp Bldg., Mobile 36602

Place No. 2
Thomas M. Marr ..... 158 St. Louis St., Mobile 36601

Place No. 3
Mayer W. (Mike) Perloff .... 205 Van Antwerp Bldg., Mobile 36602

Place No. 4
Clara Stone Collins ..... 1950 Hunter Avenue, Mobile 36606

Place No. 5
Robert S. Edington ..... 50 Saint Emanuel Street, Mobile 36602

Place No. 6
G. Sage Lyons ..... 2510 First National Bank Bldg., Mobile 36602

Place No. 7
Bert Nettles ..... P. O. Box 550, Mobile 36601

Place No. 8
Maurice A. "Casey" Downing ..... 920 Dauphin St., Mobile 36604

Place No. 9
W. M. (Monty) Collins ..... P. O. Box 1411, Mobile 36601

Place No. 10
John William (Bill) Grayson .... 56 So. Conception St., Mobile 36602

38 BALDWIN

Place No. 1
L. D. (Dick) Owen, Jr. ..... Box 45, Bay Minette 36507

Place No. 2
L. W. Brannan, Jr. ..... Box 187, Foley 36535

39 ESCAMBIA

J. M. (Mac) Mays ..... Box 500, Atmore 36502

40 COVINGTON & GENEVA

Place No. 1
Frank Jackson ..... Box 209, Opp 36467

Place No. 2
Crum Foshee ..... P. O. Box J, Red Level 36474

41 COFFEE

Drexel Cook ..... Box 435, Elba 36323

42 DALE

Henry B. Steagall, II ..... P. O. Box 280, Ozark 36360

43 HOUSTON & HENRY

Place No. 1
Buddy Crawford ..... Abbeville 36310

Place No. 2
R. J. (Bob) Stembridge ..... 607 Girard Avenue, Dothan 36301

ROSTER OF THE SENATE OF ALABAMA
REGULAR SESSION 1969

O. J. "Joe" Goodwyn, *President* ..... Montgomery

McDowell Lee, *Secretary* ..... Montgomery

Mrs. F. B. Ruffer, *Assistant Secretary* ..... Montgomery

First Senatorial District—Lauderdale and Colbert Counties.
Stewart O'Bannon, Jr. ..... P. O. Box 147, Florence 35630

Second Senatorial District—Limestone and Morgan Counties.
Bob Harris ..... P. O. Box 1727, Decatur 35602

Third Senatorial District—Madison County.
Jack Giles ..... Morgil Bldg., 401 Franklin St., S. E., Huntsville 35801

Fourth Senatorial District—Jackson, DeKalb and Cherokee Counties.
Dan Stone ..... P. O. Box W, Centre 35960

Fifth Senatorial District—Franklin, Marion, Lawrence and Winston Counties.
W. E. Oden ..... 402 High St., N. W., Russellville 35653

Sixth Senatorial District—Cullman and Walker Counties.
Fred C. Folsom ..... 207 Downtown Plaza, Cullman 35055

Seventh Senatorial District—Marshall, Blount and St. Clair Counties.
Aubrey J. Carr ..... P. O. Box 326, Guntersville 35976

Eighth Senatorial District—Etowah County.
Ollie W. Nabors ..... Suite 202, First City Nat'l Bk. Bldg., Gadsden 35901

Ninth Senatorial District—Calhoun County.
Woodrow Albea ..... 401-404 Commercial Bk. Bldg., Anniston 36201

Tenth Senatorial District—Lamar, Fayette, Pickens, Greene and Hale Counties.
James A. Branyon, II ..... P. O. Box 600, Fayette 35555

Eleventh Senatorial District—Tuscaloosa County.
E. W. Skidmore ..... 2011 8th St., Tuscaloosa 35401

Twelfth Senatorial District—Jefferson County.

Place No. 1
Hugh Morrow, III ..... City Nat'l Bk. Bldg., Birmingham 35203

Place No. 2
Leland Childs ..... 1605 Forest Ridge Rd., Birmingham 35226

Place No. 3
John Hawkins, Jr. ..... 1909 Oxmoor Rd., Birmingham 35209

Place No. 4
Richard Dominick ..... 927 Brown Marx Bldg., Birmingham 35203

Place No. 5
Geo. Lewis Bailes, Jr. ..... 621 Massey Bldg., Birmingham 35203

Place No. 6
Eddie Hubert Gilmore ..... P. O. Box 546, Bessemer 35020

Place No. 7
Paschal P. "Pat" Vacca ..... 929-930 Frank Nelson Bldg., Birmingham 35203

ROSTER OF THE SENATE OF ALABAMA—Continued

Thirteenth Senatorial District—Talladega, Clay and Cleburne Counties.
G. Kyser Leonard ..... 516 North St., Talladega 35160

Fourteenth Senatorial District—Bibb, Perry and Dallas Counties.
Walter C. Givhan ..... Safford 36773

Fifteenth Senatorial District—Shelby, Coosa, Chilton and Autauga Counties.
W. G. McCarley ..... 111 Melmar Dr., Prattville 36067

Sixteenth Senatorial District—Tallapoosa, Elmore and Macon Counties.
Tom Radney ..... Box 443, Alexander City 35010

Seventeenth Senatorial District—Randolph, Chambers and Lee Counties.
C. C. "Bo" Torbert, Jr. ..... P. O. Box 2345, Opelika 36801

Eighteenth Senatorial District—Sumter, Marengo, Choctaw and Washington Counties.
W. H. (Pat) Lindsey ..... 122 S. Mulberry, Butler 36904

Nineteenth Senatorial District—Wilcox, Clarke, Monroe and Conecuh Counties.
Roland Cooper ..... Camden 36726

Twentieth Senatorial District—Lowndes, Butler, Crenshaw and Covington Counties.
Alton L. Turner ..... P. O. Box 207, Luverne 36049

Twenty-First Senatorial District—Montgomery County.
Place No. 1
J. J. (Junie) Pierce ..... 2448 Carter Hill, Montgomery 36106
Place No. 2
O. J. "Joe" Goodwyn ..... 325 Bell Bldg., Montgomery 36104

Twenty-Second Senatorial District—Bullock, Pike, Coffee and Geneva Counties.
W. Ray Lolley ..... 121 N. Main St., Enterprise 36330

Twenty-Third Senatorial District—Russell, Barbour and Henry Counties.
James S. (Jimmy) Clark ..... P. O. Box 71, Eufaula 36027

Twenty-Fourth Senatorial District—Mobile County.
Place No. 1
Mylan R. Engel ..... P. O. Box 1045, Mobile 36601
Place No. 2
Pierre Pelham ..... P. O. Box 291, Mobile 36601
Place No. 3
William H. McDermott ..... P. O. Drawer 2025, Mobile 36601

Twenty-Fifth Senatorial District—Baldwin and Escambia Counties.
J. Ernest Jackson ..... P. O. Box 614, Flomaton 36441

Twenty-Sixth Senatorial District—Houston and Dale Counties.
J. L. (Jim) Adams ..... P. O. Box 490, Dothan 36301

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COUNTIES 15,300 TO 15,400 POPULATION

Forfeiture of guns, nets, other equipment seized in game and fish cases—
HB 763, pages 456, 578, 649, 1179, 1252, 1308

Pistol permits, issuance and fee—
HB 969, pages 961, 1046, 1122, 1455, 1708, 1747

COUNTIES 15,400 TO 16,000 POPULATION

Circuit clerks, additional employment and compensation authorized—
HB 1101, pages 1360, 1460, 1602, 2506, 3113, 3564

Sheriff, expense allowance for—
HB 1102, pages 1360, 1460, 1602, 2422, 2506, 3113, 3563

Tax assessors and collectors, clerk hire allowances for—
HB 1103, pages 1360, 1460, 1603, 2506, 3113, 3563

County governing body, expense allowance for members of—
HB 769, pages 500, 577, 647, 1179, 1252, 1308

COUNTIES 15,500 TO 16,300 POPULATION

Board of equalization, fixing per diem pay for members—
SB 716, pages 1881, 2071, 2384, 3153

County governing body, election and qualifications of members—
SB 907, pages 3072, 3104, 3277, 3524

Deputy solicitors, further regulating the compensation of—
SB 409, pages 623, 801, 832, 968

Jurors, compensation of—
SB 832, pages 2548, 2774, 2969, 3303

O'possums and raccoons, further regulating night hunting of —
HB 809, pages 510, 578, 650, 1224, 1702, 1746

COUNTIES 16,150 TO 17,250 POPULATION

Board of education, compensation of members—
HB 1240, pages 1573, 1662, 1990

Contingent fund, authorized—
SB 820, pages 2174, 2367, 2729, 3200

Registrars, relieved of duty to visit precincts and voting places—
HB 860, pages 773, 951, 1424, 2204, 2378, 2462

COUNTIES 16,150 TO 17,350 POPULATION

Judge of probate and sheriff, compensation of—
HB 1553, pages 2510, 2772, 2961
SB 873, pages 2541, 2775, 3470, 3560

COUNTIES 16,200 TO 17,200 POPULATION

Board of education, expense allowance for members—
HB 1203, pages 1478, 1568, 1967, 2645, 3135

COUNTIES 16,300 TO 17,300 POPULATION

Contingent fund authorized—
HB 1352, pages 1766, 2068, 2329, 2899, 3138, 3569

Superintendent of education, compensation and travel allowance—
HB 1552, pages 1766, 2068, 2329, 2899, 3138, 3569

COUNTIES 16,300 TO 17,500 POPULATION

County governing body, expense allowance for members of—
HB 417, pages 156, 199, 342, 640, 752, 813

COUNTIES 16,500 TO 17,500 POPULATION

Gasoline tax, direct distribution to municipalities of share of—
SB 442, pages 879, 953, 1014, 1239

COUNTIES 17,400 TO 17,800 POPULATION

County governing body, additional expense allowance for chairman and members of—
HB 1556, pages 2514, 2773, 2963, 3445, 3539, 3573

COUNTIES 17,800 TO 18,700 POPULATION

Inferior court, compensation of judge, appointing and fixing compensation of clerk—
HB 1537, pages 2311, 2479, 2795
SB 890, pages 2558, 2907, 3176, 3308

Pistol permits, issuance of—
HB 1515, pages 2306, 2479, 2960
SB 877, pages 2541, 2907, 3175, 3308

Sheriffs, compensation of deputies—
HB 1516, pages 2306, 2479, 2961
SB 878, pages 2541, 2907, 3177, 3308

COUNTIES 18,000 TO 19,000 POPULATION

County governing body, expense allowance for chairman and members of the—
SB 726, pages 2557, 2773, 2968, 3302

Public buildings, appropriations authorized of certain funds for, and furnishings—
SB 879, pages 2558, 2775, 2978, 3200

COUNTIES 19,000 TO 19,500 POPULATION

Additional compensation, for members of board of equalization, board of registrars, and jury commission—
HB 663, page 268
HB 707, pages 435, 498, 607

COUNTIES 19,00 TO 19,500 POPULATION (Continued)

County governing body, compensation and allowances of members of—
HB 551, pages 222, 249, 563

Sheriff, appointment and compensation of deputies—
HB 550, pages 222, 249, 362

COUNTIES 19,500 TO 20,000 POPULATION

Board of education, additional expense allowance for members—
HB 1221, pages 1487, 1568, 1972, 2506, 3113, 3564

Tax assessor and tax collector, clerk hire allowance—
HB 1348, pages 1765, 2067, 2328, 2898, 3139, 3569

COUNTIES 20,000 TO 21,000 POPULATION

Circuit court, offices of register and clerk combined with office of clerk of the county court—
HB 1467, pages 2095, 2360, 2703

Clerk of the board of county commissioners and treasurer, offices combined—
HB 1471, pages 2096, 2362, 2703

Probate court, conferring equity jurisdiction on, and further regulating, compensation of judge—
HB 1469, pages 2095, 2361, 2703

Sheriffs, office further regulated, compensation—
HB 1470, pages 2095, 2361, 2703

Tax assessor and tax collector, offices of, further regulated, compensation of—
HB 1468, pages 2095, 2361, 2703

COUNTIES 20,100 TO 21,850 POPULATION

Board of education, expense allowance for members of—
HB 741, pages 452, 499, 615, 817, 852, 929

Board of equalization, expense allowance for members of—
HB 905, pages 884, 951, 1002, 1525, 1710, 1748

Board of revenue, additional allowance for chairman and members of—
HB 906, pages 884, 951, 1002, 1525, 1710, 1747

County engineer, expense allowance for—
HB 903, pages 884, 951, 1001, 1525, 1710, 1748

County governing body, expense allowance for members of—
HB 738, pages 452, 499, 613, 744, 809, 814

Court reporters authorized for other than circuit courts in—
HB 742, pages 452, 499, 615, 817, 853, 929

Judges of courts of record other than circuit court, expense allowance for—
HB 743, pages 452, 499, 616, 817, 853, 929

Jurors, compensation of—
HB 1167, pages 1410, 1462, 1613, 2501, 3119, 3565

Superintendent of education, expense allowance for—
HB 977, pages 962, 1046, 1123, 1525, 1710, 1747

COUNTIES 20,500 TO 21,850 POPULATION

Jury commission, compensation and meeting days of—
HB 284, pages 96, 137, 295, 632, 751, 813

COUNTIES 21,800 TO 21,850 POPULATION

County solicitor, expense allowance for—
HB 739, pages 452, 499, 613, 745, 809, 814

Driving privileges and motor vehicle registration, reinstatement of certain suspended—
HB 1401, pages 1800, 2069, 2340

Sheriff, expense allowance for chief deputy—
HB 740, pages 452, 499, 614, 745, 809, 815

COUNTIES 21,850 TO 21,950 POPULATION

Deputy solicitor, increasing compensation—
HB 1023, pages 1065, 1175, 1254, 1538, 1711, 1748

COUNTIES 21,900 TO 22,300 POPULATION

Pistol permits, issuance of—
HB 1253, pages 1575, 2067, 2323, 3419, 3468, 3572
SB 841, pages 2549, 2774, 3261

COUNTIES 22,350, TO 24,000 POPULATION

County governing body, providing for emergency revision of districts from which members elected—
HB 1563, pages 2515, 2773, 2964

State forests, transferred to division of state parks—
HB 1508, pages 2303, 2478, 2805
SB 889, page 2987

COUNTIES 22,500 TO 24,550 POPULATION

Board of registrars, additional compensation of members—
HB 508, pages 213, 248, 359, 639, 749, 813

Sales and use tax, herbicides and plants exempt from—
HB 385, pages 149, 470, 573, 935, 956

Sheriff, providing for uniforms, salaries and appointment of additional deputies for—
HB 507, pages 212, 248, 359, 639, 749, 813

Superintendent of education, qualifications of—
HB 1320, pages 1690, 2067, 2673, 3433, 3536, 3572
SB 744, pages 2168, 2484, 2799, 3197

Superintendent of education, regulating compensation of—
HB 651, pages 265, 317, 383, 631, 749, 813

COUNTIES 24,525 TO 24,675 POPULATION

Board of registrars, relieved of duty to visit each precinct—
HB 1025, pages 1067, 1175, 1254, 1538, 1712, 1748

COUNTIES 24,600 TO 25,300 POPULATION

Sales and use tax, exemption of residents from—
HB 389, page 149

Sales and use taxes, reports and returns of—
HB 390, page 150

COUNTIES 24,800 TO 25,400 POPULATION

Board of equalization, regulating meetings and compensation of—
HB 1106, pages 1362, 1566, 1949, 2504, 3121, 3565

Contingency fund authorized—
HB 1029, pages 1074, 1175, 1258, 2205, 2378, 2462

COUNTIES OF LESS THAN 25,000 POPULATION AND TWO COURTHOUSES

Circuit clerk, providing for an additional deputy—
HB 1268, pages 1669, 1759, 2262, 2487, 3131, 3567

Judge of probate, expense allowance for—
HB 1267, pages 1668, 1759, 2260, 2487, 3131, 3567

COUNTIES 24,600 TO 25,300 POPULATION

Denton, Mrs. Helen B., relief of—
HB 1276, pages 1670, 1760, 2267, 2487, 3131, 3567
SB 777, pages 2174, 2365, 2721, 3198

COUNTIES 24,800 TO 25,400 POPULATION

Board of registrars, compensation of members of—
HB 1030, pages 1074, 1176, 1259, 1956, 2155, 2297, 2954

COUNTIES 25,400 TO 25,500 POPULATION

Board of education, compensation of, procedure for selecting depository for funds—
HB 1346, pages 1765, 2067, 2327, 3089, 3231, 3566

COUNTIES 25,400 TO 25,600 POPULATION

County governing body, travel expense allowance for—
HB 431, pages 174, 199, 344, 380, 458, 1163, 1250, 1307

COUNTIES 25,400 TO 26,000 POPULATION

Superintendent of education, county board of education to fix compensation of—
HB 610, pages 254, 317, 368, 372, 459, 631, 749, 813

COUNTIES 25,700 TO 25,900 POPULATION

Public school buildings, insuring of—
HB 1110, pages 1364, 1566, 1951, 3485, 3109, 3563

Sales and use taxes, exemptions of residents from—
HB 25, pages 14, 66, 276

Sales and use tax, reports and returns of—
HB 24, pages 14, 66, 167, 238, 239, 276, 329

Sheriff, compensation of chief deputy and other deputies—
HB 1557, pages 2514, 2907, 3173

Sheriff, employment of additional deputies—
HB 1111, pages 1364, 1566, 1951, 2502, 3120, 3565

COUNTIES 25,800 TO 26,700 POPULATION

Board of education, compensation of members of—
HB 1180, pages 1412, 1462, 1614, 2501, 3131, 3567

Superintendent of education, qualification, duties, tenure and appointment—
HB 319, pages 109, 137, 296, 644, 751, 813

COUNTIES 26,000 TO 27,000 POPULATION

County governing body, mileage allowance attending conventions—
HB 669, pages 404, 577, 643, 1225, 1698, 1745, 2288, 2300, 2375, 2463

Superintendent of education, further providing for compensation and allowances—
SB 828, page 2548

COUNTIES 27,000 TO 30,000 POPULATION

Board of equalization, expense allowance of members—
HB 896, pages 792, 926, 995, 1456, 1708, 1747

County governing body, expense allowance for—
HB 1314, pages 1688, 1761, 2276, 2484, 3130, 3566

Superintendents of education, qualifications, compensation and expense allowance of—
HB 350, pages 125, 137, 300, 631, 646, 714

COUNTIES 28,000 TO 30,575 POPULATION

Tax assessors, relief of certain—
HB 1441, pages 2079, 2360, 2699, 3445, 3540, 3573

Tax collector, relief of certain—
HB 1440, pages 2079, 2360, 2698, 3445, 3539, 3573

COUNTIES 30,550 TO 31,000 POPULATION

Hospital associations, appointment and terms of office of directors—
HB 233, pages 76, 198, 314, 638, 750, 813

COUNTIES 31,000 TO 32,000 POPULATION

Ambulance service, non-profit, emergency, providing for operation by municipalities—
HB 1433, pages 2077, 2360, 2697, 3461, 3546, 3574

County governing body, compensation and expense allowances for—
HB 627, pages 259, 317, 381, 732, 808, 815

Registration of voters, further providing for—
HB 1124, pages 1383, 1567, 1955, 2375, 3091, 3229

Superintendent of education, compensation of—
HB 364, pages 143, 173, 308, 732, 807, 815

Towns therein, certain boundaries altered—
HB 1434, pages 2077, 2478, 2789, 3461, 3546, 3574

COUNTIES 31,000 TO 33,500 POPULATION

Board of registrars, expense allowance for members—
HB 1493, pages 2120, 2362, 2708, 3465, 3542, 3573

COUNTIES 31,500 TO 32,200 POPULATION

Warrant clerk, office created—
SB 216, pages 620, 801, 1231
SB 770, page 2543

COUNTIES 31,500 TO 33,500 POPULATION

Board of equalization, expense allowance for members—
HB 1494, pages 2120, 2362, 2708, 3465, 3542, 3573

Jury commission, expense allowance for clerk and members—
HB 1495, pages 2120, 2362, 2709, 3465, 3542, 3573

COUNTIES 31,500 TO 35,500 POPULATION

Constables, criminal and quasi-criminal authority withdrawn—
SB 214, pages 620, 800, 1231

Retirement systems, extending eligibility for membership—
SB 215, pages 620, 800, 1937, 2383, 3150

Warrant clerk, office created, exclusive authority to issue warrants of arrest—
SB 216, pages 620, 801, 1231

COUNTIES 32,200 TO 35,000 POPULATION

Alcoholic beverages, prohibiting sale in certain places—
SB 452, pages 879, 953, 1014, 1239

County governing body, compensation of chairman and members of—
SB 172, page 682

County governing body, expense allowance for chairman and members of—
SB 173, pages 682, 800, 830

Sheriff, deputies increased, compensation of deputies and employees—
SB 295, page 869

COUNTIES 32,500 TO 34,000 POPULATION

State forests, transferred to division of state parks—
HB 1509, pages 2303, 2478, 2805
SB 883, page 2987

COUNTIES 33,000 TO 35,000 POPULATION

Bible history, required course in all public high schools—
SB 676, pages 1909, 2070, 2346, 3151

Board of registrars, meeting and compensation of—
SB 293, pages 690, 691, 801, 968

County board of education to appoint superintendent of education—
HB 372, pages 146, 173, 311, 640, 752, 813

County governing body, further regulating the compensation of the chief clerk of—
SB 294, page 869

County governing body and county engineer further provided for—
HB 1216, pages 1486, 1568, 1971, 2486, 3110, 3563
SB 734, pages 2179, 2364, 2780, 3196

COUNTIES 33,000 TO 35,000 POPULATION (Continued)

County governing body, providing for temporary chairman—
HB 1217, pages 1487, 1568, 1971, 2507, 3110, 3563
SB 735, pages 2179, 2364, 2781, 3197

District attorneys, providing further for compensation of deputies—
SB 535, pages 1334, 1462, 1616, 1735

Inferior court, increasing compensation of the judge—
SB 422, pages 624, 801, 833, 968

Jurors, compensation of—
SB 376, pages 622, 801, 831, 968

Public law libraries, provided for—
HB 1295, pages 1680, 1761, 2273, 2484, 3129, 3566
SB 779, pages 1915, 2071, 2386, 3153

Sheriff, issuance of pistol permits—
SB 375, pages 621, 926, 996, 1157

COUNTIES 35,100 TO 36,100 POPULATION

Election precincts, further providing for voting centers—
HB 1286, pages 1677, 1760, 2269, 2483, 3128, 3566

COUNTIES 35,500 TO 36,500 POPULATION

Bailiffs, compensation of—
HB 920, pages 890, 951, 1117, 1453, 1705, 1746

COUNTIES 35,700 TO 36,600 POPULATION

Certain county officers, clerk hire and allowance for—
HB 1040, pages 1086, 1176, 1424, 1958, 2156, 2298

Judge of probate, expense allowance for—
HB 909, pages 887, 1045, 1120, 1957, 2156, 2297
SB 625, pages 1336, 1462, 1617, 1735

COUNTIES 36,600 TO 37,600 POPULATION

Board of education, expense allowance for members—
HB 938, pages 911, 952, 1007, 1524, 1709, 1747

County governing body authorized to establish a contingency fund—
HB 789, pages 503, 578, 717, 1958, 2157, 2298

Court costs, additional taxes in misdemeanor cases—
HB 1449, pages 2084, 2360, 2703, 3465, 3542, 3573

Deputy district attorney or county solicitor, secretary for—
HB 937, pages 910, 952, 1007, 1524, 1709, 1747

Jury commission, authorizing change in compensation of—
HB 788, pages 503, 578, 717, 1958, 2157, 2298

Judge, county court, expense allowance for—
HB 457, pages 183, 200, 348, 640, 752, 814

Textbooks, providing further for the selection of—
HB 595, pages 234, 463, 533, 1164, 1251, 1308

COUNTIES 37,000 TO 41,000 POPULATION

Authorizing the incorporation of a fair, exhibition, cultural or amusement authority—
HB 774, pages 501, 577, 648, 1956, 2155, 2297

Salaries of certain officers and employees revised—
HB 704, pages 410, 577, 716, 1544, 1712, 1748

COUNTIES 38,000 TO 45,000 POPULATION

Contingent fund authorized—
HB 1292, pages 1680, 1760, 2271, 2484, 3129, 3566
SB 765, pages 2174, 2364, 2722

Eurell Bailey, relief of—
HB 785, pages 503, 799, 825, 1526, 1711, 1748

COUNTIES 40,000 TO 45,000 POPULATION

Coroner, expense allowance for—
HB 1109, pages 1364, 1566, 1950, 2486, 3110, 3563
SB 697, pages 1881, 2071, 2347, 3152

COUNTIES 41,000 TO 45,000 POPULATION

Board of education, per diem allowance for members—
HB 1066, pages 1182, 1566, 1948, 2485, 3109, 3563

Gasoline tax, county, providing further for handling and use of proceeds—
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Gasoline tax, levy authorized—
HB 1424, pages 1814, 2374, 2738, 3462, 3543, 3574

Law Library, providing for revenues for—
HB 1428, pages 1815, 2070, 2343, 2433, 3536, 3572

Pistol permits, issuance of—
HB 1293, pages 1680, 1760, 2271, 2484, 3129, 3566
SB 803

Revenues, county governing body authorized to borrow money in anticipation of—
HB 804, pages 509, 799, 826, 1453, 1706, 1746
HB 1294, pages 1680, 1760, 2272, 2497, 2542, 2766

COUNTIES 42,000 TO 46,000 POPULATION

County governing body, validating certain expenditures, October 1, 1964-September 30, 1966
SB 831

Intermediate court, supplementary compensation of secretary of the judge—
HB 1122, pages 1381, 1566, 1954, 2509, 3127, 3565
SB 721

Jury commission, compensation of members of—
HB 1033, pages 1076, 1325, 1506, 2167, 2377, 2462

O'possums and raccoons, further regulating night hunting of—
HB 809, pages 510, 578, 650, 1224, 1702, 1746

Water pollution prohibited—
HB 1288, pages 1679, 2478, 2789, 2869

COUNTIES 46,000 TO 46,500 POPULATION

Bailiffs, further regulating compensation of—
HB 804, pages 509, 799, 826, 1453, 1706, 1746

County governing body, expense allowance—
HB 700, pages 410, 498, 605, 1332, 1703, 1746

Juvenile court, providing for a probation officer for the—
HB 1332, pages 1694, 1761, 2279, 2487, 3130, 3567

Public highway and traffic fund abolished—
HB 701, pages 410, 498, 605, 1164, 1251, 1308

Sheriff, further regulating compensation of deputies and employees of—
HB 702, pages 410, 498, 606, 1164, 1251, 1308

COUNTIES 46,500 TO 48,000 POPULATION

Cities, authorized to consolidate—
HB 35, pages 17, 246, 2248, 2898, 3137, 3568

County officers, compensation of certain—
HB 1432, pages 2076, 2360, 2695, 3456, 3547, 3574

Law and equity courts, compensation of solicitor—
SB 897, pages 2911, 3103, 3274, 3523

Merger of cities, prescribing method of consolidation—
HB 446, pages 176, 1459, 2256

Recipients of old age assistance, limiting certain contractual rights of—
HB 1204, pages 1478, 1759, 2258, 2899, 3138, 3569

COUNTIES 47,000 TO 49,000 POPULATION

Clerk hire allowance for certain officers—
SB 466, pages 690, 691, 926, 2672, 3193

County court, compensation of judge—
SB 799, pages 2171, 2480, 3171, 3307

Judge of probate, clerk hire allowance—
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SB 875, pages 2543, 2907, 3175, 3308

Municipal utility corporation disposition of property after dissolution of—
HB 1189, pages 1420, 1567, 1960, 2504, 3121, 3565

Public officers, certain, expense allowances for—
HB 1290, pages 1679, 2067, 2324

Registers, compensation of—
SB 596, pages 1350, 1569, 3170, 3307

Tax assessor, additional expense allowance—
HB 973, pages 962, 1325, 1503, 2648, 3135, 3568

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Volunteer rescue squads, authorizing contribution of county funds to—
HB 949, pages 956, 1325, 1502, 2899, 3138, 3568

Water pollution prohibited—
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COUNTIES 48,100 TO 49,000 POPULATION

Ad valorem taxes, assessing and collecting on motor vehicles—
HB 1, pages 11, 66, 165, 697, 805, 814, 856, 1919, 2154, 2297

COUNTIES 48,500 TO 49,500 POPULATION

County governing bodies, meetings and compensation of members—
HB 1265, pages 1667, 1759, 2319, 2940, 3145, 3570

Court reporter, supplementary compensation of—
HB 1262, pages 1664, 1759, 2259, 2483, 3127, 3566

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HB 1344, pages 1764, 2353, 2697, 3445, 3539, 3573

Public funds, appropriation to certain non-profit organizations authorized—
HB 1345, pages 1765, 2067, 2326, 3090, 3233, 3566

Salaried officers, transportation furnished for certain—
HB 1343, pages 1764, 2067, 2326, 3090, 3232, 3566

COUNTIES 49,000 TO 50,000 POPULATION

Bailiffs, compensation of—
HB 732, pages 450, 498, 610, 2508, 3111, 3563

COUNTIES 49,500 TO 50,500 POPULATION

Attorneys fees and costs, paid by housing authorities or redevelopment agencies on appeal from condemnations—
SB 635, pages 1355, 1663, 1998, 2163

Branch banks, authorized in—
SB 814, pages 2185, 2366, 2729, 3200

Condemnations for urban renewal, or other redevelopment, value to be based on value on date of announcement of plan—
SB 636, pages 1355, 1663, 1999, 2164

Pistol permits, issuance of—
HB 1407, pages 1807, 2069, 2340, 3155, 3233, 3567

COUNTIES 50,000 TO 54,000 POPULATION

Board of equalization, county supplement to compensation of members—
HB 1300, pages 1682, 1761, 2275, 2484, 3129, 3566

Board of registrars, meeting and duties further regulated—
HB 1543, pages 2312, 2480, 2797, 3461, 3546, 3574

Certain officers, expense allowances—
HB 1094, pages 1201, 1326, 1510, 2374, 3090, 3229

Circuit clerk, compensation of—
HB 1540, pages 1386, 1567, 1959

Judge of probate, compensation of—
HB 1128, pages 2308, 2479, 2788, 3463, 3540, 3573

Jurors, compensation of—
HB 1017, pages 1061, 1175, 1253, 1544, 1712, 1748

Jury commission, compensation of—
HB 1298, pages 1682, 1761, 2274, 2484, 3129, 3566

COUNTIES 50,000 TO 54,000 POPULATION (Continued)

Motor vehicle taxes and license tags, alternative method of assessing, paying, and issuing of—
SB 647, pages 1909, 2070, 2346, 3151

Register, compensation of—
HB 1539, pages 2311, 2480, 2795, 3461, 3546, 3574

Registrars, compensation of—
HB 1130, pages 1384, 1461, 1607, 2374, 3091, 3229

Sheriffs, compensation of deputies and employees of—
HB 1131, pages 1384, 1461, 1607, 2374, 3091, 3229

COUNTIES 51,000 TO 56,000 POPULATION

Circuit clerks, allowance for clerical help for—
HB 589, pages 233, 249, 363, 629, 748, 812

Driving privileges, providing for reinstatement of certain suspended—
HB 1414, pages 1808, 2359, 2780, 3463, 3540, 3573

Intermediate court, compensation of clerk—
HB 1339, pages 1698, 1762, 2280, 2651, 3134, 3568

Judge of probate, clerk hire allowance—
HB 1232, pages 1493, 1662, 1989, 2509, 3126, 3565

Jury commission, compensation of—
HB 1179, pages 1412, 1462, 1614, 2509, 3126, 3565

O'possums and raccoons, further regulating night hunting of—
HB 809, pages 510, 578, 650, 1224, 1702, 1746

COUNTIES 55,000 TO 60,000 POPULATION

Gasoline tax, direct distribution to certain municipalities of their proportionate share of—
SB 892, pages 2558, 2775, 2979, 3305

Jury commission, clerk provided for—
SB 547, pages 1334, 1462, 1947, 2162

Motor vehicles, alternative method of assessing, paying taxes on and issuing license tags for—
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SB 650, pages 1875, 2363, 2714, 2926, 3195

Motor vehicle license tags, method for issuing—
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COUNTIES 57,000 TO 61,000 POPULATION

Boards of education, expense allowance for members—
SB 746, pages 2179, 2364, 2719, 3197

Coroner, expense allowance for—
HB 801, pages 509, 578, 718, 1957, 2155, 2297

County governing body, expense allowance for certain members of—
HB 802, pages 509, 1762, 2283

County governing body, expense allowance for chairman—
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SB 544, pages 1355, 1762, 2282, 3149

COUNTIES 57,000 TO 61,000 POPULATION (Continued)

County governing body, expense allowance for members—
SB 538, pages 1355, 1762, 2281, 3149
SB 544, pages 1355, 1762, 2282, 3149

COUNTIES 57,000 TO 61,500 POPULATION

Board of registrars, additional compensation of members—
SB 787, pages 2203, 2365, 2726, 3199

County court, expense allowance for judge—
SB 790, pages 2195, 2366, 2727, 3199

County court reporters, expense allowance for—
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Probation officers, county court, expense allowance for—
SB 788, pages 2987, 3188

COUNTIES 61,000 TO 65,000 POPULATION

Court reporters, adjustments in compensation—
HB 1140, pages 1386, 1567, 1959

COUNTIES 65,000 TO 95,000 POPULATION

Alcoholic beverages, sale and consumption further regulated—
HB 1542, pages 2312, 2480, 2796
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Ambulance service, county and municipalities therein to establish—
SB 602, pages 1336, 1569, 1975, 2163

Barber commission established—
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County officers, certain, compensation of—
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County officers, payment of certain expenses heretofore incurred by certain—
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Fines, for traffic offenses, distribution further provided for—
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Volunteer rescue squads, contribution of public funds to—
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COUNTIES 65,000 TO 95,000 POPULATION WITH COUNTY COURTS COMPOSED OF TWO DIVISIONS WITH COUNTY JUDGE FOR EACH

Courts, further regulating—
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Board of education, location of offices—
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County governing body authorized to provide clerk hire allowance for the county solicitor or deputy attorney—
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Judicial procedure, judge authorized to excuse veniremen in capital cases—
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HB 434, pages 175, 199, 345

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Board of education, compensation and allowances of members of—
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Circuit clerk, allowed an assistant chief clerk in each of the civil and criminal divisions—
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Circuit court costs to be paid where municipal court accepts fine or dismisses appeal after appeal—
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Officers of circuit court, compensation of, amended—
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Barbering, practice of, regulated—
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Child abuse, reports of, required—
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County governing body, compensation of members—
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District attorneys, providing for positions of administration assistant, and officer-manager legal secretary to the—
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Water pollution, further regulating—
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Worthless checks, disposition of unclaimed funds given in restitution for—
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Airport authority, creation authorized—
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License inspector provided for—
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Personnel system, countywide, created—
HB 1475, pages 2107, 2350, 2778
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COUNTIES OF 150,000 OR MORE POPULATION

Plumbers and plumbing, further regulating—
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Art guilds, given tax exempt status—
HB 1328, pages 1691, 1764, 2284, 2899, 3138, 3569

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HB 541, pages 220, 250, 366, 657, 804, 814

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Public school lunchroom managers and assistants, participation in the employee's retirement system of Alabama—
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Recorders and prosecuting attorneys in recorder's courts in all cities in, extra compensation from county funds—
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Sheriff authorized an attorney—
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Sheriffs, further regulating the office of—
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Inferior court having two judges, compensation of the clerk—
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HB 1173, pages 1411, 1572, 1984, 2636, 2949, 3164, 3225, 3245, 3569

Sheriff, compensation of chief deputy and certain employees—
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Voting centers, designated and use regulated—
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Mosquito abatement district created in—
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Barbers, shops, and schools regulated—
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Beer and ale, privilege license tax on—
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Civil service system, further providing for and regulating—
HB 1135, pages 1385, 1570, 1978, 2900, 3141, 3570

Leave of absence, regulating, for certain employees of city and county—
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Trading stamps, privilege license tax authorized on use or issuing of—
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Zoning, powers, extended—
HB 1134, pages 1385, 1570, 1977, 3463, 3541, 3573

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Elected officials, retirement allowances for—
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Establishing a public corporation to attract conventions and tourists—
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Fire prevention, further providing for adoption of building codes or ordinances—
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Public improvements, defining powers of such counties to construct sanitary sewers and sewer facilities—
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Local government commission created—
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HB 468, pages 185, 201, 351, 1226, 1699, 1745

Public building corporations, contract or lease agreement with county or municipalities—
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COUNTY COMMISSION

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Herman L. Nelson highway building, designation of—
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Highway department urged to post signs directing slow moving traffic to keep to the right lane—
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Hill, Honorable Lister invited to speak to the legislature—
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Hill, Senator Lister, committee appointed to escort, to the House chamber—
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Hill, Dr. Samuel Richardson, commended—
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Holmes, Richard Lee congratulated for nomination as candidate for Jaycees four outstanding young men—
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Huntsville high school band and Mr. William T. Sloan congratulated for excellence—
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H. Y. Carson building, designation of—
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Inman, Honorable Robert, commended—
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"J. M. Moore Highway" portion of State Highway 159 designated—
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John D. Forte Library, designation of—
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Joint interim committee on agriculture, recreated and reconstituted—
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Joint interim committee on legislative and lobbying ethics created—
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Louisville and Nashville Railroad Company thanked for outstanding safety record—
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Lybrand, Mrs. Jerrie, commended for being selected distinguished young woman award—
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OF THE

STATE OF ALABAMA

EXTRAORDINARY SESSION OF 1970

HELD IN THE CITY OF MONTGOMERY
COMMENCING MONDAY, FEBRUARY 23, 1970

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JOURNAL

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HOUSE OF REPRESENTATIVES

OF THE

STATE OF ALABAMA

EXTRAORDINARY SESSION OF 1970

FIRST DAY

House of Representatives
Montgomery, Alabama
Monday, February 23, 1970

BE IT REMEMBERED that on the 23rd day of February, 1970, His Excellency, Albert P. Brewer, Governor of the State of Alabama, issued his proclamation convening the Legislature in extra session in words and figures as follows, to-wit:

STATE OF ALABAMA

PROCLAMATION

BY THE GOVERNOR

WHEREAS, our Republic is founded on the principle of equal treatment under the law for all citizens and States.

WHEREAS, the United States Senate has recently declared that federal laws affecting school integration should be applied equally in all states of the union; and

WHEREAS, the State of New York has enacted and is currently implementing a law which provides for "freedom of choice" as the method of pupil assignment in its public schools; and

WHEREAS, the overwhelming majority of Alabama's people, both black and white, favor "freedom of choice" as the most feasible and fair method of pupil assignment in our public schools; and

WHEREAS, there exists this extraordinary occasion in the State of Alabama which demands the convening of the Legislature of Alabama in extraordinary session as prescribed by Section 122 of the Constitution of Alabama of 1901:

NOW, THEREFORE, I, Albert P. Brewer, as Governor of the State of Alabama, do hereby proclaim and direct that the Legislature of the State of Alabama convene in extraordinary session at the seat of Government at the State Capitol in Montgomery, Alabama, at six o'clock P. M., February 23, 1970, and I hereby designate the following subjects and matters to be considered and acted upon by said Legislature in extraordinary session assembled:

1. Legislation incorporating provisions of the New York "freedom of choice" statute, New York Education Law §3201 (McKinney 1969).

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Alabama to be affixed, done at the Capitol in the City of Montgomery on this the 23rd day of February, 1970.

ALBERT P. BREWER,
Governor.

SEAL

ATTEST:

MABEL S. AMOS
Secretary of State

In pursuance whereof, at the hour of 6 o'clock P. M. on Monday, the 23rd day of February, 1970, the Representatives in the Legislature of Alabama assembled in the Hall of the House of Representatives.

The House was called to order by Honorable Rankin Fite, Speaker of the House of Representatives.

PRAYER

The session was opened with prayer by Dr. Henry Lyon, Pastor, Highland Avenue Baptist Church, Montgomery, Alabama.

THE STATE OF ALABAMA
DEPARTMENT OF STATE

I, Mable Amos, Secretary of State, of the State of Alabama, having custody of the Great and Principal Seal of said State, do hereby certify that Kylie T. Berryman was unopposed in her candidacy for Member of the House of Representatives from Limestone and Lawrence Counties, District 2, Place No. 2, in the Special Election to be held On December 9, 1969, pursuant to the Proclamation by Governor Albert P. Brewer on August 18, 1969, and is the duly elected Member of the House of Representatives from Limestone and Lawrence Counties, District 2, Place No. 2.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in the City of Montgomery, this 10th day of October One Thousand Nine Hundred and Sixty-nine.

MABEL S. AMOS,
Secretary of State.

SEAL

OATH OF OFFICE

THE STATE OF ALABAMA
MARION COUNTY

I, Kylie T. Berryman, do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof, and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter to the best of my ability. So help me God.

KYLIE T. BERRYMAN.

Sworn to and subscribed before me this 28th day of October, 1969.

RANKIN FITE,
Speaker,
House of Representatives,
State of Alabama.

November 13, 1969

Hon. Albert Brewer
Governor
State of Alabama
Montgomery, Alabama 36104

Dear Governor Brewer:

Having received your appointment as a member of the Civil Court of Appeals, I herewith submit my resignation as a member of the Alabama House of Representatives from the 11th District, Etowah County, Alabama; this resignation to be effective as of this date.

Very truly yours,

L. CHARLES WRIGHT.

LCW/hd

cc: Mr. Robert Vance, Chairman
Alabama Democratic Executive Committee
Mr. Cecil Robertson, Chairman
Etowah County Democratic Executive Committee
Secretary of State
State Comptroller
Clerk, House of Representatives

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Dill	House	Owens (W)
Adwell	Dobbs	Jackson (F)	Owens (W.E.)
Agee	Doss	Jackson (T)	Paulk
Bank	Downing	Jones	Pearson
Bassett	Drake	Kilgore	Pennington
Beck	Edington	Laxson	Perloff
Berryman (K)	Ellis	Lemley	Pruitt
Berryman (W)	Fine	Lybrand	Robertson
Blanton	Foshee	Lyons	Sessions
Bolton	Gafford	Malone	Shumate
Bowers	Garrett	Manley	Slate
Brannan	Gloor	Marr	Smith
Brassell	Graham	Mathews	Snell
Brown	Grainger	Mays	Springer
Burgess	Grayson	McCorquodale	Starnes
Burgreen	Hain	McDonald	Steagall
Cameron	Hardin	McElhaney	Stembridge
Cherner	Harper	McLain	Stubbs
Collier	Harris	Meade	Tuck
Collins (C)	Haygood	Meeks	Turnham
Collins (W)	Headley	Melton	Waggoner
Cook (Coffee)	Higginbotham	Merrill	Watkins
Cook (Jefferson)	Hill	Money	Weeks
Crane	Hobbie	Nettles	Williams
Crawford	Holladay	Neville	Wood
Culver	Holman	Owen (Baldwin)	Young

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A quorum was present.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Merrill:

H. R. 1. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES that the Clerk of the House notify the Senate that the House is now in session and is ready for the transaction of public business.

On motion of Mr. Merrill, the rules were suspended and H. R. 1 was adopted.

Also:

By Mr. Merrill:

H. J. R. 2. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a Committee of three members of the House, to be named by the Speaker of the House, and two members of the Senate, to be named by the Presiding Officer of the Senate, be appointed to notify the Governor that the Legislature is now in session and is ready for the transaction of business.

On motion of Mr. Merrill, the rules were suspended and H. J. R. 2 was adopted.

Also:

By Mr. Merrill:

H. J. R. 3. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that a joint session of the House and Senate be held at 6:30 o'clock today for the purpose of hearing the message of the Honorable Albert P. Brewer, Governor of Alabama.

RESOLVED FURTHER, that a committee of three from the House, to be named by the Speaker of the House, and a Committee of two from the Senate, to be named by the Presiding Officer of the Senate, be appointed to wait upon the Governor and advise him that the two Houses will meet in joint session at the hour named above for the purpose of receiving his message.

On motion of Mr. Merrill, the rules were suspended and H. J. R. 3 was adopted.

Also:

By Mr. Merrill:

H. J. R. 4. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES, THE SENATE CONCURRING, that when the Legislature adjourns today, it adjourn to meet again on Tuesday, February 24, 1970; and that when the Legislature adjourns on Tuesday, February 24, 1970, it adjourn to meet again on Wednesday, February 25, 1970; and that when the Legislature adjourns on Wednesday, February 25, 1970, it adjourn to meet again on Thursday, February 26, 1970; and that when the Legislature adjourns on Thursday, February 26, 1970, it adjourn to meet again on Friday, February 27, 1970; and that when the Legislature adjourns on Friday, February 27, 1970, it adjourns sine die.

On motion of Mr. Merrill, the rules were suspended and H. J. R. 4 was adopted.

And the Speaker appointed as a committee on the part of the House, Messrs. Harris, Bassett and Cook (Coffee), to wait upon the Governor, pursuant to H. J. R. 2 and 3.

MESSAGE FROM THE SENATE

Mr. Speaker:

I am directed by the Senate to notify the House of Representatives that the Senate is now in session and ready for the transaction of public business.

McDOWELL LEE,
Secretary.

RECESS

On motion of Mr. Merrill, the House recessed until 6:30 o'clock P. M., for a Joint Session.

JOINT SESSION

The hour of 6:30 o'clock P. M. having arrived, the Senate and House of Representatives of the Legislature of Alabama met in Joint Session in the Hall of the House of Representatives, in accordance with previous motion for recess heretofore adopted, for the purpose of hearing an address by the Honorable Albert P. Brewer, Governor of the State of Alabama.

The Joint Session was called to order by the Honorable O. J. Goodwyn, President Pro-Tem and Presiding Officer of the Senate.

GOVERNOR'S MESSAGE

Mr. President, Mr. Speaker, Members of the House and Senate, Ladies and Gentlemen:

I have called you here tonight for one purpose and one purpose only —to give the school children of Alabama the same rights that school children have in other states.

Our children are entitled to fair and equal treatment. I cannot ask that they be given more—but as your Governor, I demand they not be given less.

I ask you—what is fair and equal treatment? Is it fair that the children of New York have freedom of choice and the children of Alabama can't have it? If freedom of choice is right for New York, it's right for Alabama. And that's why you're here tonight.

A bill will be offered tonight which will give the children of Alabama freedom of choice. It is almost identical to the New York law.

Several years ago, our school systems were put under freedom of choice. And our people reluctantly accepted this plan and implemented it in good faith.

But because our people didn't choose the way the court thought they ought to choose, the court said, "You can't have freedom of choice any more." Then came more court orders for our schools.

And what have these court orders done to public education in Alabama?

More than $15 million worth of public schools have been closed.

Hundreds of classrooms have as many as forty to fifty students.

Students have been moved from school to school for the sole purpose of achieving a racial balance.

Hundreds of teachers have been transferred against their wishes.

Many teachers are forced to teach outside their subject fields.

Students and teachers of both races are demoralized and discouraged.

And the sum total of all of these orders is that your child is not getting the kind of education he ought to be getting.

I have visited many schools throughout our state—and I have seen first-hand what is happening.

I visited a school in South Alabama where three classes were being conducted at the same time in a small auditorium—where the library had been converted to a classroom and no library facilities were available—where even the lunchroom had classes in it for part of each day, and where they had to start feeding the students at 10:30 in the morning until almost time for school to be out in order to get all of them served.

I learned from the teachers that they could not do any more than try to keep order in their classes, and that it was impossible to teach under those circumstances.

And why? Because nearby stood a new brick building—empty—closed by court order because it had formerly been a Negro school.

Our problem is not race. As I have said before, the question is not one of integration or segregation. We crossed that bridge several years ago. The question is what kind of education are we going to give our children?

I talked recently with a lady in Elmore County who told me that she understood that it was no longer possible to have segregated schools. What concerned her is that her daughter is in a fourth grade class with fifty other students, and it was simply impossible for her daughter to learn anything under those conditions.

I have received letters from students of both races that would bring tears to your eyes. A Negro girl in Pell City wrote me about the closing of her high school where she is a cheerleader. She told me of the pride of the students in their football team, their band, and other school activities, and how much it meant to her to be able to graduate from her school. She asked me why the court would deny her the right to attend the school of her choice.

Hundreds of similar letters from students, both black and white, across the State, have convinced me that our students truly had a free choice, they exercised it, and they are not happy with the courts taking it away from them.

No Legislature in our history has demonstrated its concern for public education as you have done. Just one year ago you enacted, at my request, the greatest program for public education in the history of Alabama. This program not only provided more money for education, but more education for our money. This program promised the people of Alabama something more, something better than we have ever had in public education.

I believe strongly in public education. I myself could not have received an education without the public schools. Neither could most of you.

Our foundation, our growth, our development, our future, and our prosperity depend on public education. Every parent in Alabama—more than anything else—wants a better life for his children than he's had. For most of us, public education is the only way.

But as we have tried to improve the quality of education for our young people, we have been constantly faced with the unrealistic demands of those who have demonstrated no interest in public education in Alabama. Instead, they have sought to force upon us social change contrary to the wishes of those we are trying to educate.

Those of us in government, you and I, have a responsibility to continue our efforts to do something about this problem and to do it in a constructive way. It will not be settled in the streets. Violence is no answer. The solution must come through legal processes in the courts and through the Congress.

Last Fall, I began an investigation, getting facts and figures from every possible source, to find out what is going on in other school systems in this country. When all the facts were gathered, the picture was clear. We learned that there was more segregation in one part of New York City than in the entire State of Alabama. The same was true in St. Louis, Los Angeles, Chicago, and virtually every other urban area of our country.

A double standard was being applied—one rule for the children of Alabama and other Southern States, and another rule for the rest of the country.

One of my favorite quotations is that of Theodore Roosevelt who said, "No man is above the law, and no man is below it." I have never felt that my people were above the law, but I certainly don't feel that you are below the law.

To attack this double standard, I filed a suit in the U. S. Supreme Court charging that our people were being discriminated against—that a double standard was being applied in school cases—and asking the highest court in this land to cause the law to be applied equally to all peoples in this Nation.

That suit, brought on behalf of the people of Alabama, was not heard. But it did focus national attention on this problem. When the Supreme Court refused to hear my suit, I promptly filed a similar suit in the United States District Court for the Northern District of Alabama in Birmingham.

Immediately thereafter, Senator John Stennis of Mississippi offered his amendment to a pending education bill in the U. S. Senate, which would require the same rule to be used throughout this nation in school cases.

A few days later, I met with other Southern Governors who are facing similar problems. We planned unified action to accomplish two objectives: one, to forcefully bring this condition to the attention of the American people and let public opinion decide what is fair; and two, to support our members of Congress in a united effort to secure legislative relief.

The very next day, an avowed liberal, Senator Abraham Ribicoff of Connecticut, publicly acknowledged the fairness of the Stennis Amendment and the hypocrisy of some areas of this country on school matters. He acknowledged that others are pointing their fingers at the South and ignoring the conditions that exist in their own backyards.

Three days later, the President of the United States made a statement in opposition to the double standard. Four days later, the very liberal Senator Birch Bayh made a statement supporting the concept of neighborhood schools and expressing opposition to busing.

Last Tuesday, I went to Washington to meet with members of Congress about this problem. I went onto the floor of the United States Senate and told senators there of our problems in Alabama. Many of them expressed amazement at what had been required of us.

The very next day after my visit to Washington, the Stennis Amendment was adopted by a substantial majority.

So, you see step by step the dramatic and remarkable progress we've made in the last few weeks.

What does the Stennis Amendment do? It simply provides that the same standards will be applied in every school system in this country.

It meens that if freedom of choice is good enough for the school children in New York, it is good enough for the school children in Alabama.

I ask you tonight to adopt the New York freedom of choice law. The same law is being considered by several other Southern states who have joined with us in a united effort, rather than going it alone. They, too, feel that if freedom of choice is permissible in New York, it is permissible in our states.

I can also report to you that the Alabama members of Congress are united and determined to use every resource at their command to win this victory.

As I walked from the Senate Office Building to the United States Capitol last Tuesday, I looked across to the U. S. Supreme Court Building. And I saw there the words that are inscribed over the portals of that building—"Equal Justice Under the Law."

We have the opportunity tonight to press the advantage we have gained in the past few weeks to insure that the school children of Alabama shall indeed have and enjoy equal justice under the law.

I included no other matters in my call of this session. This problem is of such grave concern to our people, and to you and me personally as parents, that it demands our full, immediate, and prompt attention. I am therefore asking that you meet five consecutive days this week, the minimum time in which a bill can be passed under our Constitution.

During the last four weeks, we have seen the first encouraging signs in many years in the school situation.

For the first time, we're on the offensive.

Finally, we're getting something done.

Let's keep our momentum going. Let's press our advantage.

Let's secure for the school children of Alabama equal justice under the law.

And may God bless our efforts.

The President Pro-Tem and Presiding Officer of the Senate announced that the purpose of the Joint Session having been accomplished, the Senate would retire to its Chamber.

The Speaker of the House then called the House to order.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Merrill, Fite, Cook (Jefferson), Pennington, Grainger, McLain, Burgess, Turnham, Manley, Dill, Young, Sessions, Starnes, Slate, Agee, Mays, Lemley, Grayson, Higginbotham, Marr, Snell, Hain, Springer, Pruitt, Holladay, Cook (Coffee), Crane, Weeks, Meade, Drake, McDonald, Malone, Downing, Lyons, Steagall, Blanton, Cameron, Neville, Hardin, Harris, Ellis, Brannan, Owens (W), Bolton, Smith, Pearson, Doss, Haygood, Berryman (W), McCorquodale, Money, Collins (C), Lybrand, Beck, Jones, Owens (W.E.), House, Brown, Robertson, Culver, Perloff, Burgreen, Melton, Williams, Adwell, Wood, Bank, Edington, Holman, Crawford, Collins (W), Mathews, Tuck, Harper, Stembridge, McElhaney, Foshee, Jackson (F), Bassett, Stubbs, Fine, Gloor, Berryman (K), Cherner, Hill, Bowers, Brassell, Collier, Dobbs, Gafford, Garrett, Headley, Hobbie, Meeks, Nettles, Owen (Baldwin), Paulk, Shumate and Watkins:

H. 1. To prevent discrimination on account of race, color, creed or national orgin in connection with the education of the children of the State of Alabama.

Judiciary.

By Mr. Lemley:

H. 2. Regulating the practice of radiologic technology, providing for appointment and operation of the Board of Radiologic Technologists Examiners for the State of Alabama; providing for examination and licensing of radiologic technologists; providing for the enforcement of this act; and prescribing penalties and fees.

Health.

By Mr. Lemley:

H. 3. To levy a privilege or license tax on non-resident live fish and minnow dealers; to provide for the distribution of all monies accruing under the provisions of this act; to provide a penalty for the violation of any provision of this act.

Health.

By Mr. Lemley:

H. 4. To authorize the governing body of each county of the state to acquire by purchase, donation, or otherwise, land situated within the county, or within any adjoining county, for the purpose of establishing and maintaining on such land a public park or recreational area; to authorize each county to maintain and operate parks or recreational areas; to authorize the appropriation and expenditure of the funds of the county for such purposes; and to authorize two or more counties to cooperate in the joint establishment and operation of a park or recreational area.

Health.

By Messrs. Merrill, Lybrand and Burgess:

H. 5. To allow prospective jurors to be excused without the presence of the defendant in the Seventh Judicial Circuit of Alabama.

Local Legislation No. 1.

By Messrs. Merrill, Burgess and Lybrand:

H. 6. To make an appropriation for the construction of a high school at Weaver, Calhoun County, Alabama.

Judiciary.

By Messrs. Merrill, Hill, Haygood, Lybrand and Pennington:

H. 7. To amend Section 37 of Title 52 of the Code of Alabama of 1940, as heretofore amended.

Judiciary.

By Messrs. Merrill, Hill, Haygood, Lybrand and Pennington:

H. 8. To permit persons, firms, corporations not organized for profit, the state board of education and the trustees of all state institutions where education is a part of the program of the institution, partnerships and associations when borrowing money in amounts of not less than $100,000 to pay such rates of interest not to exceed the rate of fifteen percent per annum on the loan or forbearance of money as such borrower may agree to pay without regard to any provision of law limiting interest rates, and denying to such borrower and to others who may become liable thereon the right to claim or raise the defense of usury.

Judiciary.

By Mr. Merrill:

H. 9. To appropriate $120,000.00 to the State Board of Education for payment of prior obligations of the State of Alabama for Regional Education for fiscal years ending September 30, 1968 and September 30, 1969; and to provide that the said appropriation shall be paid from amounts heretofore appropriated to the State Board of Education for Regional Education for fiscal year ending September 30, 1970 by Act No. 91, Special Session 1969, approved May 14, 1969.

Judiciary.

By Messrs. Headley and Grayson:

H. 10. Relating to fees of witnesses in criminal cases; amending Code 1940, Title 11, Section 103.

Agriculture.

By Mr. Headley:

H. 11. Authorizing the county governing body of counties of not less than 25,600 population nor more than 25,700 population according to the most recent federal decennial census to make an appropriation of county funds for the relief of Walter Popwell to compensate for certain damages.

Local Legislation No. 1.

By Mr. Graham:

H. 12. To provide for the uniform disposition of unclaimed and abandoned tangible and intangible personal property including a definition of terms, property held by banking or financial institutions, unclaimed funds held by insurance companies, deposits and refunds held by utilities, undistributed dividends and distributions of business association, property of business associations and banking or financial organizations held in course of dissolution, property held by fiduciaries, property held by Federal Courts and Federal officers and agencies, miscellaneous personal property held for another person; to provide for reciprocity for property presumed abandoned or escheated under the laws of another state; to provide for the report of abandoned property; to provide for the notice and publication of lists of abandoned property; to provide for the payment or delivery of abandoned property to the Commissioner of Revenue; to provide for the relief from liability to the holder by payment or delivery to the Commissioner of Revenue; to provide that no

income shall accrue after payment or delivery to the Commissioner of Revenue; to provide that periods of limitation shall not be a bar to recovery by the Commissioner of Revenue or the duty to file reports; to provide for the sale of abandoned property; to provide for the deposit and disposition of funds; to provide for the claim for abandoned property paid or delivered; to provide for the determination of claims by the Commissioner of Revenue; to provide for judicial action or review; to provide for election by the Commissioner of Revenue to take payment or delivery in certain cases; to provide for the examination of records; to provide for judicial proceedings to compel payment or delivery; to prescribe penalties; to provide for the administration and enforcement of the Act by the Commissioner of Revenue and the State Department of Revenue; to provide for the effect of laws of other states; to provide for the severability of this Act; to provide for the uniformity of interpretation of this Act; to provide for a short title of this Act; to repeal conflicting laws; and to provide an effective date for this Act.

Ways and Means.

By Messrs. Drake, Starnes, McDonald and Beck:

H. 13. Relating to taxation, making further exemptions from State sales and use taxes.

Judiciary.

By Messrs. Drake, Starnes and McDonald:

H. 14. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing for the salary increases of the jailers in such counties.

Local Legislation No. 1.

By Messrs. Drake, Starnes, McDonald and Beck:

H. 15. Relating to taxation: To exempt drugs and medications, vitamins, minerals, and other nutrients used in the production of livestock and poultry from the State sales and use tax.

Judiciary.

By Messrs. Malone and Owens (W.E.):

H. 16. To amend further Act No. 413, H. 421 of the 1966 Special Session (Acts, 1966, p. 559), entitled "An Act relating to counties having populations of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; authorizing the constable serving the county court to appoint a deputy constable; providing for the term, duties and salary of such deputy constable," relative to the compensation of such constable.

Local Legislation No. 1.

By Messrs. Crawford and Stembridge:

H. 17. To amend Sections 62 and 73 of Act No. 414 adopted at the Regular Session of the Legislature of Alabama of 1959 so as to provide that any stockholder of a corporation shall have the right to dissent from (i) any sale or exchange of all or substantially all of the property or assets of the corporation or (ii) any plan of merger or consolidation to which the corporation is a party, as to less than all of the shares registered in his name.

Judiciary.

By Messrs. Cook (Jefferson), Merrill and House:

H. 18. To provide for and require that the Attorney General of the State of Alabama represent and provide legal counsel, representation and defense for any teacher employed by any school system in Alabama where any action, administrative, civil or criminal, is instituted against such teacher by reason of his or her refusal to accept an assignment to achieve or force any faculty racial balance or quota in any school or school system in Alabama; to repeal any acts in conflict herewith; and to provide the effective date of this Act.

Judiciary.

By Messrs. Cook (Jefferson), Merrill and House:

H. 19. To prohibit the use of any public funds or property to provide public transportation for any student in Alabama to a point outside the zone of his or her residence as defined and fixed by court order in those schools which are operating or may hereafter be operated under a court approved or imposed zone plan of integration; to repeal all laws or parts of laws in conflict herewith; and to provide the effective date of this act.

Judiciary.

By Messrs. Ellis, Stubbs, Headley, McElhaney, Grayson, Owens (W), Foshee, Jackson (F), Starnes, Brannan, Brown, Bank, Robertson, Adwell, Culver, Holman, Dobbs, Smith, Tuck, Burgreen, Lybrand, Beck, Drake, Hobbie, Pearson, Holladay and Lemley:

H. 20. Teacher-principal reassignment, retransfer reinstatement procedure, prescribing the method and procedure thereof.

Education.

By Mr. Ellis:

H. 21. To provide for and require that the Attorney General of the State of Alabama represent and provide legal counsel, representation and defense for any teacher employed by any school system in Alabama where any action, administrative, civil or criminal, is instituted against such teacher by reason of his or her refusal to accept an assignment to achieve or force any faculty racial balance or quota in any school or school system in Alabama; to repeal any acts in conflict herewith; and to provide the effective date of this Act.

Education.

By Mr. Ellis:

H. 22. To prohibit the use of any public funds or property to provide public transportation for any student in Alabama to a point outside the zone of his or her residence as defined and fixed by court order in those schools which are operating or may hereafter be operated under a court approved or imposed zone plan of integration; to repeal all laws or parts of laws in conflict herewith; and to provide the effective date of this act.

Education.

By Messrs. Weeks and Bowers:

H. 23. To amend Section 184, Title 39, Code of Alabama 1940, as amended, relating to Sundays and holidays so as to provide further for the observance of Veterans' day.

State Administration.

By Messrs. Gafford, Waggoner, House, Dill, Sessions, Watkins, Adwell, Crane, Cherner, Cook (Jefferson), Money and Gloor:

H. 24. To amend Code of Alabama 1940, Title 51, Section 15, relating to the exemption of homesteads from state ad valorem taxes, so as to provide additional exemptions for persons over sixty-five years of age.

Judiciary.

By Messrs. Gafford, Waggoner, House, Dill, Sessions, Watkins, Adwell, Crane, Cherner, Cook (Jefferson), Money and Gloor:

H. 25. To provide sales and use tax exemptions for certain medicines purchased by prescription.

Judiciary.

By Messrs. Watkins, Gafford, Robertson, McElhaney, Adwell, Haygood, Bank, Blanton, Jones and Slate:

H. 26. To regulate further the transfer of employees of county and city boards of education.

Education.

By Mr. Fine:

H. 27. To apply in all counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census; to provide an allowance to the circuit clerk of such counties for clerical assistance.

Local Legislation No. 1.

By Messrs. Haygood and Hill:

H. 28. To amend Section 7 of Act No. 775 enacted at the 1951 Regular Session of the Legislature of Alabama; which Act relates to Boards of Water and Sewer Commissioners.

Business and Labor.

By Messrs. Hill and Haygood:

H. 29. Relating to printing and publishing of certain legal advertisements in all counties having populations of not less than 61,000 nor more than 65,000, according to the most recent federal decennial census; further amending Code of Alabama, 1940, Title 7, Section 713, as amended.

Local Legislation No. 1.

By Messrs. Hill and Haygood:

H. 30. To amend Code of Alabama 1940, Title 13, Section 397 relative to the civil jurisdiction of the justices of the peace.

Business and Labor.

By Mr. Hill:

H. 31. To amend Code of Alabama 1940, Title 13, Section 363, relating to the jurisdiction of juvenile offenders so as to raise the maximum age at which certain offenders may be transferred to the jurisdiction of the juvenile court.

Judiciary.

By Mr. Hill:

H. 32. To authorize the awarding of reasonable attorney's fees in domestic relations cases where a contempt of court citation is made.

Judiciary.

By Messrs. Turnham and Crawford:

H. 33. To amend Section 2, III (47) of Act No. 995, 1969 Regular Session, entitled "To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools."

Education.

By Mr. Neville:

H. 34. Establishing the Historic Chattahoochee Commission as a state agency to identify, acquire, own, transport, renovate, maintain, and exhibit historic or military articles, exhibits and attractions; prescribing the authority, powers, duties and functions of the Commission and its members, officers, and committees.

Local Legislation No. 1.

By Messrs. Pennington, Grainger, Jones, Edington, Lemley, Brown, Bank, Robertson, Weeks and Hill:

H. 35. To amend Section 7, entitled "procedure for Adopting Rules and Regulations"; Section 8, entitled "Enforcement of Rules and Regulations"; Section 10, entitled "Enforcement Proceedings by Commission"; and Section 14, entitled "Pre-emption", of Act No. 1135, S. 520, of the 1969 Regular session of the Legislature of Alabama, approved September 13, 1969, entitled "An Act to Provide for the Control of Air Pollution within the State of Alabama; to create and establish an Air Pollution Control Commission; to prescribe the jurisdiction, powers, duties and function of the Air Pollution Control Commission; to provide for an executive director of the Commission; to provide for the enforcement of the Act and orders, rules and regulations adopted by the Air Pollution Control Commission; prescribing penalties and making appropriations", so as to change the procedure for adopting rules and regulations; so as to change the provisions for enforcement of rules and regulations; so as to change the provisions for enforcement proceedings by the Commission; so as to alter the pre-emption provisions to give Cities and Towns the authority to enact ordinances on the subject of air contamination within the Corporate Limits and the Police jurisdiction thereof; and so as to authorize the creation of County and municipal advisory boards and committees.

Health.

By Messrs. Pennington, Grainger and Jones:

H. 36. To provide for uniformity in designating county governing bodies in the several counties of this state.

Health.

By Messrs. Jones, McLain, Pennington and Grainger:

H. 37. Authorizing every county and every municipality of the State to establish and operate a collection and disposal system for automobile hulks, discarded or abandoned appliances or equipment, junk, and any other metallic or non-metallic trash or debris; authorizing the charging of a fee or fees for such services; directing each county in the

State to establish a special study commission concerning the control, storage, abandonment, or disposal of such material; authorizing the county commission to designate, by resolution of the Commission, and after a hearing, areas or zones within the county where such material may be kept or stored; and making the storage of such material unlawful, except in conformity with this act; and providing punishment for the violation thereof.

Health.

By Mr. McLain:

H. 38. To permit persons, corporations not organized for profit, general partnerships, limited partnerships, and associations, whether organized for profit or non-profit, to pay a rate or rates of interest on the loan or forbearance of money having an original principal balance of not less than One Hundred Thousand Dollars ($100,000.00) as that person, corporation not organized for profit, general partnership or limited partnership, or association, whether organized for profit or non-profit, may determine, without regard to any provision of law prescribing or limiting interest rates, and denying to such persons, corporations not organized for profit, general partnerships, limited partnerships, and associations, whether organized for profit or non-profit, and to certain others who may become liable on such a loan or forbearance the right to claim or raise the defense of usury.

Judiciary.

By Mr. McLain:

H. 39. To regulate extension of credit through open end credit plans, whether secured or unsecured; to provide the maximum rate of the finance charge in connection therewith; to regulate such transactions; to prescribe penalties for violation of this Act; to provide exemptions from the provisions of this Act; to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision; and to prescribe the effective date thereof.

Judiciary.

By Mr. McLain:

H. 40. To amend Section 7, entitled "Procedure for Adopting Rules and Regulations"; Section 8, entitled "Enforcement of Rules and Regulations"; Section 10, entitled "Enforcement Proceedings by Commission"; and Section 14, entitled "Pre-emption", of Act No. 1135, S. 520, of the 1969 Regular session of the Legislature of Alabama, approved September 13, 1969, entitled "An Act to Provide for the Control of Air Pollution within the State of Alabama; to create and establish an Air Pollution Control Commission; to prescribe the jurisdiction, powers, duties and function of the Air Pollution Control Commission; to provide for an executive director of the Commission; to provide for the enforcement of the Act and orders, rules and regulations adopted by the Air Pollution Control Commission; prescribing penalties and making appropriations", so as to change the procedure for adopting rules and regulations; so as to change the provisions for enforcement of rules and regulations; so as to change the provisions for enforcement proceedings by the Commission; so as to alter the pre-emption provisions to give Cities and Towns the authority to enact ordinances on the subject of air contamination within the Corporate Limits and the Police jurisdiction thereof; and so as to authorize the creation of County and municipal advisory boards and committees.

Health.

By Mr. Fite:

H. 41. To amend Title 25, Section 19, Code of Alabama 1940, as amended.

Judiciary.

By Mr. Fite:

H. 42. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

Judiciary.

By Mr. Fite:

H. 43. To fix the fee for issuance of pistol permits in any county having a population of not less than 20,050 nor more than 21,850 according to the most recent federal decennial census; providing for the deposit of such fees; and to create a fund to be designated the Sheriff's Fund; and providing for the use of such fund for law enforcement purposes; and to validate prior collections and expenditures from such collections.

Local Legislation No. 1.

By Messrs. Berryman (W) and Graham:

H. 44. To provide for the incorporation of Districts, as public corporations, for the purpose of furnishing water service, sanitary sewer service, and fire protection service, or any thereof, upon the filing of an application with, and the authorization of such incorporation by, the governing body of each county and municipality within which any such District is to be authorized to furnish any of such services; to provide that the service area specified in the original certificate of incorporation of any such District shall lie wholly within the boundaries of the county or counties by the governing bodies of which the incorporation of such District was authorized and that no part of said service area shall lie within the boundaries of any municipality by the governing body of which such incorporation was not authorized; to provide for the amendment of the certificate of incorporation of any such District for the purpose of extending the service area, and for other purposes, at any time and from time to time, upon the filing of applications with, and the authorization of each such amendment by, the governing bodies of each county and municipality in which any part of the then existing or proposed service area of such District lies; to provide for the election and compensation of directors of any such District; to provide for the powers, authorities and duties of any such District and its board of directors; to authorize any such District to acquire, construct, operate, improve and finance one or more water-works plants, water distribution systems, sanitary sewer systems, or fire protection facilities, or any combination of any thereof; to confer on any such District the power of eminent domain; to authorize any such District to employ officers, employees and agents without regard to any provisions of Act No. 217 (1967 Special Session), as amended, that might otherwise be applicable; to make provisions respecting the establishment, revision, and collection of charges for water service, sewer service and fire protection service, or any thereof, rendered by it; to provide for the issuance by any such District for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any one of more of the systems and facilities, or any thereof, of such District, without regard to the system or systems or facilities with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable in-

struments; to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such District for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the system or facilities out of the revenues from which such securities are payable, and to provide that any revenue securities of the District may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by a District of obligations respecting systems and facilities, or parts thereof, acquired by the District; to provide for the use of the proceeds of any revenue securities issued by a District; to provide for the refunding, by the issuance of revenue securities of a District, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such District pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration; transfer any water system, sewer system, fire protection facility, or other property to any such District; to provide that the rendition by any such District of fire protection service is a governmental function and to exempt such District from all tort liability in connection with fire protection service or facilities; to exempt the property and income of any such District, and all securities issued by any such District and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such District is a party from all taxation in the state, to exempt every such District from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such District from payment of certain charges to Judges of Probate; to provide that each such District shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by any such District; and to provide for the dissolution of any such District and the disposition of its property.

Judiciary.

By Messrs. Starnes, Drake, Meade, Beck, Brown and McDonald:

H. 45. To amend Code of Alabama 1940, Title 17, Section 198 so as to provide further for the compensation and mileage allowance of election officers.

Judiciary.

By Messrs. Drake and Starnes:

H. 46. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing for the salary increase of the Register in Chancery in such counties.

Local Legislation No. 1.

By Messrs. Marr, Collins (W), Perloff, Downing, Wood, Collins (C), Lyons, Grayson, Edington and Nettles:

H. 47. Applicable to those counties in the State having a population of not less than 300,000 nor more than 600,000 inhabitants according to the last or any subsequent Federal census; to authorize each such county to make appropriations to any State institution of higher learning for the payment of all or any part of the cost of any educational builidng or

other educational facility of such institution; to authorize any such county to issue interest-bearing warrants for the purpose of paying all or any part of the cost of any educational building or other educational facility of a State institution of higher learning; to authorize the governing body of each such county to prescribe the terms and provisions of such warrants; and to provide that this act shall be cumulative and severable.

Local Legislation No. 3.

By Messrs. Marr, Collins (W), Perloff, Downing, Wood, Collins (C), Lyons, Grayson, Edington and Nettles:

H. 48. Applicable to those municipalities in the State having a population of not less than 200,000 nor more than 300,000 inhabitants according to the last or any subsequent Federal census; to authorize each such municipality to make appropriations to any State institution of higher learning for the payment of all or any part of the cost of any educational building or other educational facility of such institution; to authorize any such municipality to issue interest-bearing warrants for the purpose of paying all or any part of the cost of any educational building or other educational facility of a State institution of higher learning; to authorize the governing body of each such municipality to prescribe the terms and provisions of such warrants; and to provide that this act shall be cumulative and severable.

Local Legislation No. 3.

By Messrs. Downing and Edington:

H. 49. To repeal Act No. 631, Regular Session, 1969, relating to counties having populations of not less than 300,000 nor more than 500,000 which prohibits the killing of unantlered male deer.

Local Legislation No. 3.

By Mr. Edington:

H. 50. To create the Alabama State Docks Authority; providing for the membership thereof and for the manner of appointment and the powers and duties of the commissioners of the Authority and of the State Docks Director; transferring to the Authority all the rights, powers, duties, authority, funds, property, books, records and effects of the Alabama State Docks Department; abolishing the Alabama State Docks Department and the State Docks Advisory Committee; repealing Act 103 (H. 230) Acts of Alabama, 1955, Vol. 1, p. 345; and Act No. 302, Acts of Alabama, 1961, p. 2362; and amending Sec.. 9 and Sec. 13 of Title 38, Code of Alabama 1940.

Ways and Means.

By Mr. Perloff:

H. 51. To amend Code of Alabama 1940, Title 51, Section 342, relating to contracts of foreign corporations, so as to provide for subsequent validation of certain of such contracts which were void when made.

Judiciary.

By Mr. Perloff:

H. 52. To amend Section 89 of Act No. 414, S. 261, Regular Session 1959 (Acts 1959, p. 1055, at p. 1099), known as the "Alabama Business Corporation Act," so as to provide further for contracts of corporations not qualified to do business in this state .

Judiciary.

By Messrs. Grayson, Holman, Sessions, Stubbs and Headley:

H. 53. To rescind and revoke membership of the State of Alabama in the United Nations and the specialized agencies thereof, and for other purposes.

Ways and Means.

By Messrs. Grayson, Stubbs and Starnes:

H. 54. To amend Section 369 of Title 13, Code of Alabama, 1940, as recompiled, so as to afford a defendant the right to demand a jury trial and remove the pending charges and proceedings to Circuit Court and to provide for bond.

Judiciary.

By Mr. Grayson:

H. 55. To amend Section 6 of Act No. 422 Regular Session of 1969, which pertains to the catching of shrimp for bait during the closed and open season.

Conservation.

By Messrs. Hobbie, Pearson, Marr, Turnham, Culver, Ellis, Burgess, Headley, Bank, Foshee, Bassett, Dill, Holman, Jackson (F), Smith, Hill, Lemley, Higginbotham, Springer, Melton, Cameron, McElhaney, Mays, Hardin, Harper, Grayson, Brannan and Edington:

H. 56. To establish a code of ethics for governmental affairs in the State of Alabama for elected state officials, members of the Legislature, members of boards and commissions, employees, and other persons; to establish the Alabama Board of Ethics for State Elected Officials and fix its powers and duties in connection with said code with respect to elected state officials and members of the Legislature; to establish the Alabama Commission on Governmental Ethics and fix its powers and duties in connection with said code with respect to state employees and members of boards and commissions; and to authorize and direct the State Personnel Department to provide investigative and administrative services for the said Commission and Board in connection with said code, to provide prescriptive periods with respect thereto; and to provide civil and criminal penalties in connection with certain violations hereof.

Ways and Means.

By Messrs. Springer, McElhaney and Harris (with notice and proof):

H. 57. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 3, Township 16 North, Range 18 East, Montgomery County, Alabama.

Local Legislation No. 4.

Notice and Proof H. 57:

LEGAL NOTICE

STATE OF ALABAMA
MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 3, Township 16 North, Range 18 East, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Beginning at the southeast corner of the north one-half of Section 3, T16N, R18E, thence west along the south line of the north one half of said Section 3 to the west right of way line of Dalraida Road, thence northerly along the west line of Dalraida Road to the southerly line of the Seaboard Air Line Railroad, thence northwesterly along the southerly line of said Railroad to the north line of said Section 3, T16N, R18E, thence west along the north line of said Section 3 to the northwest corner of said Section 3, thence south along the west line of said Section 3 to the north line of the south one-half of the northwest ¼ of said Section 3, thence east along the north line of the south ½ of northwest ¼ of said Section 3 to the east line of the northwest ¼ of said Section 3, thence south along the east line of the northwest ¼ of said Section 3 to the north boundary of the Plat of Dalraida Park Estates, Plat No. 1 as the same is filed for record in the office of the Judge of Probate, Montgomery County, Alabama, in Plat Book 11, Page 21, thence east along the north boundary of said Plat of Dalraida Park Estates, Plat No. 1 to the west line of Dalraida Road, thence continuing east across Dalraida Road to the northwest corner of Lot 18 of the Plat of Dalraida as the same appears of record in the Office of the Judge of Probate, Montgomery County, Alabama, in Plat Book 3, Page 61, thence east along the north line of said Lot 18 to the northeast corner of said Lot, thence east 20 feet to the east line of said Section 3, thence north along the east line of said Section 3 to the point of beginning.

Section 2. That this act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Kathleen Oswald, a Notary Public in and for said County in said State, personally appeared Robert A. Smith, who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is Advertising Director of the Alabama Journal, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the City and County of Montgomery and State of Alabama, on the following dates: August 7, 14, 21 and 25, 1969.

ROBERT A. SMITH.

Sworn to and subscribed before me this the 26th day of August, 1969.

KATHLEEN F. OSWALD,
Notary Public, Montgomery County, Alabama.

By Messrs. Springer, McElhaney and Harris (with notice and proof):

H. 58. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 6 and 7, Township 16 North, Range 19 East, and Sections 1 and 12, Township 16 North, Range 18 East, Montgomery County, Alabama.

Local Legislation No. 4.

Notice and Proof H. 58:

LEGAL NOTICE

STATE OF ALABAMA
MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 6 and 7, Township 16 North, Range 19 East, and Sections 1 and 12, Township 16 North, Range 18 East, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Beginning at the northeast corner of Section 6, T16N, R19E; thence west along the north line of said Section 6 to the northwest corner of said Section 6; thence south along the west line of said Section 6 to the southerly right of way line of the Seaboard Coastline Railroad Company; thence westerly along the said southerly right of way line of the Seaboard Coastline Railroad to a point being 450 feet east of the centerline of the right of way of Project F-352(12) (Eastern By-Pass), said distance measured perpendicular to the centerline of the right of way of said Project F-352(12), thence southerly parallel with and 450 feet east of, measured perpendicular to the centerline of the right of way of said Project F-352(12) to the northerly right of US Highway No. 80; thence easterly along the said northerly right of way of US Highway No. 80 to the east line of Section 7, T16N, R19E; thence north along the east line of said Section 7 to the southeast corner of Section 6, T16N, R19E; thence north along the east line of said Section 6 to the point of beginning.

Section 2. That this act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Kathleen Oswald, a Notary Public in and for said County in said State, personally appeared Robert A. Smith who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is Advertising Director of the Alabama Journal, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the City and County of Montgomery and State of Alabama, on the following dates: August 7, 14, 21 and 25, 1969.

ROBERT A. SMITH.

Sworn to and subscribed before me this the 26th day of August, 1969.

KATHLEEN F. OSWALD,
Notary Public, Montgomery County, Alabama.

By Messrs. Springer, McElhaney and Harris (with notice and proof):

H. 59. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 29 and 30, Township 17 North, Range 18 East, Montgomery County, Alabama.

Local Legislation No. 4.

Notice and Proof H. 59:

LEGAL NOTICE

STATE OF ALABAMA
MONTGOMERY COUNTY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

A BILL
TO BE ENTITLED
AN ACT

To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 29 and 30, Township 17 North, Range 18 East, Montgomery County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. That the boundaries of the City of Montgomery, in Montgomery County, Alabama, be and the same are hereby altered, rearranged and extended so as to include within the corporate limits of said City certain additional territory lying within the following described boundaries, to-wit:

Beginning at the northwest corner of Section 29, T17N, R18E; thence east along the north line of said Section 29 to the westerly right of way of the Lower Wetumpka Road; thence southwesterly along the said westerly right of way of the Lower Wetumpka Road to the southerly right of way of the Western Railway of Alabama; thence southwesterly along the said southerly right of way of the Western Railway of Alabama to the south line of Section 30, T17N, R18E; thence west along the south line of said Section 30 to the west line of the east one half of said Section 30; thence north along the west line of the east one-half of said Section 30 to the north line of said Section 30; thence east along the north line of said Section 30 to the point of beginning.

Section 2. That this act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming a law.

THE STATE OF ALABAMA
COUNTY OF MONTGOMERY

Before me, Kathleen Oswald, a Notary Public in and for said County in said State, personally appeared Robert A. Smith, who is known to me and who first being by me duly sworn, doth on oath, depose and say:

That he is Advertising Director of the Alabama Journal, a newspaper published in the City of Montgomery, County of Montgomery and State of Alabama; that the foregoing and attached copy of "Legal Notice" appeared in the regular editions of the said newspaper published in the City and County of Montgomery and State of Alabama, on the following dates: August 7, 14, 21 and 25, 1969.

ROBERT A. SMITH.

Sworn to and subscribed before me this the 26th day of August, 1969.

KATHLEEN F. OSWALD,
Notary Public, Montgomery County, Alabama.

By Messrs. Springer, McElhaney and Cameron:

H. 60. To establish a code of ethics for governmental affairs in the State of Alabama for elected state officials, members of the Legislature, members of boards and commissions, employees, and other persons; to establish the Alabama Board of Ethics for State Elected Officials and fix its powers and duties in connection with said code with respect to elected state officials and members of the Legislature; to establish the Alabama Commission on Governmental Ethics and fix its powers and duties in connection with said code with respect to state employees and members of boards and commissions; and to authorize and direct the State Personnel Department to provide investigative and administrative services for the said Commission and Board in connection with said code, to provide prescriptive periods with respect thereto; and to provide civil and criminal penalties in connection with certain violations hereof.

Ways and Means.

By Mr. Slate:

H. 61. Relating to wills and administration of estates; providing for the admission of certain evidence as proof of the intent of the testator.

Judiciary.

By Messrs. Slate and Doss:

H. 62. To amend Act No. 567, S. 124, Regular Session 1969 (Acts 1969, p. 1049) so as to reduce the period of service required for supernumerary district attorneys.

Judiciary.

By Messrs. Bassett and Hardin:

H. 63. To permit banks now or hereafter situated in cities having a population according to the most recent federal decennial census of not less than 10,230 nor more than 10,260 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such city in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of general banking and trust business, by and with the written consent of the state superintendent of banks.

Local Legislation No. 1.

By Messrs. Stubbs, Ellis, Adwell, Culver and Robertson:

H. 64. To amend further Act No. 201, Regular Session 1955, relating to public school Administration.

Business and Labor.

By Messrs. Stubbs and Culver:

H. 65. Relating to education; to encourage individuals to give financial support to educational institutions; to authorize and direct tax assessors to grant credits against ad valorem taxes due for individuals making contributions to such educational institutions; and to provide the means by which individuals may claim credit for such contributions.

Education.

By Mr. Stubbs (with notice and proof):

H. 66. To alter, re-arrange and extend the boundaries and corporate limits of the town of Harpersville so as to incorporate certain territory as described herein.

Local Legislation No. 1.

Notice and Proof H. 66:

STATE OF ALABAMA
COUNTY OF SHELBY

Notice is hereby given that a bill substantially as follows will be introduced in the Legislature of Alabama and application for its passage and enactment will be made, to-wit:

Notice is hereby given in accordance with Article 4, Section 106 Constitution of Alabama, that application will be made to the Legislature of Alabama for enactment of a local law applicable to the Town of Harpersville in substance as follows:

An Act to alter, re-arrange and extend the boundaries and corporate limits of the town of Harpersville so as to incorporate certain territory as described herein, to-wit:

Begin at the SE corner of the present Harpersville Town limits, which point is the SW corner of the NW¼ of the SE¼ of Sec. 34, T-19-S, R-2-E; thence run East along the South line of said NW¼ of the SE¼ a distance of 660 ft. more or less, to the NW corner of the E½ of the SW¼ of the SE¼ of Sec. 34; Thence run South along the West line of said East ½ of the SW¼ of the SE¼ a distance of 1320 ft. more or less, to the South line of Sec. 34; thence run East along the South line of said Sec. 34 a distance of 1320 ft. more or less, to the NW corner of the NE¼ of the NE¼ of the NE¼ of Sec. 3, T-20-S, R-2-E; thence run South along the West line of said NE¼ of the NE¼ of the NE¼ a distance of 660 ft; more or less, to the SW corner; thence run East along the South line of said NE¼ of the NE¼ of the NE¼ a distance of 660 ft, more or less, to the West line of Sec. 2, T-20-S, R-2—E; thence run South along the West line of said Sec. 2 a distance of 660 ft, more or less, to the SW corner of the NW¼ of the NW¼ of Sec. 2, T-20-S, R-2,E; thence run East along the South line of said NW¼ of the NW¼ a distance of 1320 ft, more or less, to the SE corner; thence run South along the West line of the SE¼ of the NW¼ of said Sec. 2 a distance of 1320 ft, more or less, to the SW corner; thence run East along the South line of the SE¼ of the NW¼

and the SW¼ of the NE¼ of said Sec. 2, a distance of 2640 ft, more or less, to the SE corner of said SW¼ of the NE¼;

thence run North along the East line of said SW¼ of the NE¼ a distance of 1320 ft, more or less to the NE corner; thence run West along the North line of said SW¼ of the NE¼ a distance of 1320 ft, more or less, to the NW corner; thence run North along the East line of the NE¼ of the NW¼ of said Sec. 2, a distance of 1320 ft, more or less, to the NE corner; thence continue North along the East line of S½ of the S½ of the SW¼ of Sec. 35, T-19-S, R-2-E a distance of 660 ft, more or less, to the NE corner; thence run West along the North line of said S½ of the S½ of the SW¼ a distance of 2640 ft, more or less, to the North West corner; thence run North along the East line of Sec. 34, a distance of 1320 ft., more or less, to the NE corner of the S½ of the NE¼ of the SE¼ of Sec. 34, T-19-S, R-2-E; thence run West along the North line of said S½ of the NE¼ of the SE¼, of Sec. 34, a distance of 1320 ft, more or less, to the NW corner; thence run North along the East line of the N½ of the NW¼ of the SE¼ and the S½ of the SW¼ of the NE¼ of said Sec. 34, a distance of 1320 ft, more or less, thence run West along the North line of the S½ of the SW¼ of the NE¼ of Sec. 34, a distance of 1320, ft, more, or less, to the NW corner, and a point on the East line of the present Town limits; thence run South along the West line of the S½ of the SW¼ of the NE¼ and the NW¼ of the SE¼ of Sec. 34, and the present Town limits line, a distance of 1980 ft, more or less, to the point of beginning; situated in Shelby County, Alabama.

Also Begin at the SE corner of Sec. 21, T-19-S, R-2-E, and a point on the present city limits line; thence run North along the East line of said Sec. 21 a distance of 2656.73 ft. to the NE corner of the SE¼ of said sec. 21; thenceturn an angle of 90 deg. 13 min. to the left and run West along the North line of said SE¼ a distance of 2718.40 ft. to the NW corner of said SE¼; thence turn an angle of 89 deg. 48 min. to the right and run North along the East line of the SE¼ of the NW¼ a distance of 1338.64 ft. to the NE corner of said ¼ ¼ Sec; thence turn an angle of 89 deg. 35 min. to the left and run West along the North line of the S½ of the NW¼ of Sec. 21 a distance of 2727.98 ft. to the West line of Sec. 21; thence continue West along the North line of the S½ of the NE¼ and the S½ of the NW¼ of Sec. 20, T-19-S, R-2-E a distance of 5280 ft., more or less, to the West line of said Sec. 20; thence run South along the West line of said Sec. 20 a distance of 3978.45 ft. to the SW corner of said Sec; thence turn an angle of 92 deg. 39 min. to the right and run West along the North line of Sec. 30, T-19-S, R-2-E a distance of 2690.00 ft. to the NW corner of the NE¼ of said Sec. 30; thence run South along the West line of the East ½ of Said Sec. 30 a distance of 3960 ft, more or less, to the SW corner of the N½ of the SE¼ of said Sec. 30; thence run east along the South line of said N½ of the SE¼ a distance of 2640 ft, more or less, to the West line of Sec. 29, T-19-S, R-2-E; thence run South along the West line of said Sec. 29 a distance of 1320 ft, more or less, to the SW corner of said Sec. 29; thence run East along the South line of said Sec. 29, a distance of 3960 ft, more or less, to the SW corner of the East ½ of SE¼ of said Sec. 29, and the West line of the present Town limits; thence run North along the West line of the E½ of the SE¼ of said Sec. 29, and the present Town limits line, a distance of 2640 ft, more or less, to the NW corner of said E½ of the SE¼; thence run East along the North line of said E½ of the SE¼, and the present Town limits, a distance of 1320 ft, more or less, to the West line of Sec. 28, T-19-S, R-2-E; thence continue East along the South line of the NW¼ of said Sec 28, and the present Town limits, a distance of 2640 ft, more or less, to the SE corner of said NW¼; thence run North along the East line of said NW¼ and the present Town limits, a distance of 2640 ft, more or less, to the South line of Sec. 21, R-19-S, R-2-E; thence run East along the South line of said Sec. 21, and the present Town limits, a distance of 2699.26 ft, to the point of beginning, situated in Shelby County, Alabama.

THE STATE OF ALABAMA
SHELBY COUNTY

Personally appeared before me, Notary Public, in and for said county, Marcia M. Sears, who being duly sworn according to law deposes and says that she is the Editor of the Shelby County Reporter, a newspaper published in said county, and that publication of a certain notice, a true copy of which is hereto affixed, has been made in said newspaper 4 weeks consecutively, towit in issues thereof dated as follows: July 24, 31, August 7, 14, 1969.

MARCIA M. SEARS,
Editor.

Subscribed and sworn to before me this 23rd day of Feb. 1970.

MARTHA B. JOINER,
Notary Public.

By Messrs. Smith, Lybrand, Starnes, Mathews, Steagall, Bank, McElhaney, Turnham, Merrill and McLain:

H. 67. To provide for an orientation meeting for the members of the Legislature.

Agriculture.

By Mr. Smith:

H. 68. To confer additional authority upon counties in relation to the construction, leasing, maintenance, and operation of detention home for lodging juvenile offenders and neglected children.

Agriculture.

By Messrs. Smith, Merrill and Lybrand:

H. 69. To make a conditional appropriation to the governing bodies of the counties of Calhoun, Clay, Cleburne, Randolph and Talladega for constructing a detention home for juvenile delinquents under the jurisdiction of the courts of said counties.

Agriculture.

By Messrs. Smith, Merrill and Lybrand:

H. 70. Relating to counties having populations of not less than 10,800 nor more than 13,000, counties having populations of not less than 19,000 nor more than 19,500, and counties having populations of not less than 65,000 nor more than 96,000; to confer additional authority upon such counties in relation to the construction, leasing, maintenance, and operation of detention homes for lodging juveniles and persons confined on orders of juvenile court judges in such counties.

Local Legislation No. 1.

By Mr. Smith:

H. 71. Relating to counties having populations of not less than 65,000 nor more than 95,000; to authorize an appropriation from the county treasury to construct or acquire, or to aid in the construction or acquisition of a place of detention for juveniles or other persons ordered confined by the juvenile court judge.

Local Legislation No. 1.

By Mr. Smith:

H. 72. Relating to all counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census; fixing the amount of compensation and expense allowances payable to the board of equalization, the jury commission, and the board of registrars in such counties.

Local Legislation No. 1.

By Mr. Marr:

H. 73. To amend the title to and Sections 1, 3 and 5 of Act No. 79 adopted at the First Special Session of 1959 of the Legislature of Alabama so as to provide that warrants issued pursuant to Senate Act may at the option of the governing body of the county or municipality issuing such warrants constitute limited obligations of such county or municipality payable solely out of a specified tax, so as to increase the maximum permissible interest rate that may be borne by any warrants issued under the provisions of the said act, and so as to make the said act apply to any educational facility of any state institution of higher learning above the secondary school classification.

Judiciary.

By Mr. Holladay:

H. 74. Relating to counties having a population of not less than 24,800, nor more than 25,400 according to the most recent federal decennial census; by amending Act #837, H. 1106, Regular Session of the Alabama Legislature 1969, to provide for the number of working days and compensation of the members of the County Board of Equalization in said counties.

Local Legislation No. 1.

By Mr. Holladay:

H. 75. Relating to counties having a population of not less than 24,800, nor more than 25,400 according to the most recent federal decennial census; by amending Act #515 H. 1028, Regular Session of Legislature 1969.

Local Legislation No. 1.

By Mr. Holladay:

H. 76. Relating to the Thirtieth Judicial Circuit; creating an additional judgeship for such circuit; providing for the designation of such judgeships by number and for a presiding judge of such circuit; and providing for the election, term, compensation, powers, duties, liabilities and authority of an additional judge for such circuit.

Local Legislation No. 1.

By Mr. Holladay:

H. 77. Relating to usury; amending Code of Alabama 1940, Title 9, Sections 60, 61 and 66 so as to raise the legal rate of interest which may be charged and collected on a loan; to authorize the aggregation of principal and interest at such increased rate when arriving at the amount of periodic installments; and to provide that a banker who discounts a note, bill of exchange or draft at such increased rate will not forfeit the right to collect interest.

Judiciary.

By Messrs. Crawford and Stembridge:

H. 78. To apply in all counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census, to increase the salary of the coroner in such counties.

Local Legislation No. 1.

UNANIMOUS CONSENT GRANTED

Mr. Turnham requested unanimous consent to introduce bills later in the day, and it was so granted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 4. Relative to adjournment of the two Houses for the next four Legislative Days.

McDOWELL LEE,
Secretary.

RESOLUTION

The following resolution was introduced:

By Messrs. Grainger, Pennington, Jones and McLain:

H. J. R. 5. WHEREAS, the citizens of Huntsville will honor that city's internationally renowned resident, Dr. Wernher von Braun, on Tuesday, February 24, 1970, and

WHEREAS, Dr. von Braun came to Alabama in 1950 and directed Research and Development Operations for the Army at Redstone Arsenal from 1950 to 1960 and served as Director of George C. Marshall Space Flight Center from 1960 to the present, and

WHEREAS, he will assume new responsibilities with the National Aeronautics and Space Administration on March 1, 1970, becoming Deputy Associate Administrator for the agency in Washington, and

WHEREAS, his vision and knowledge made possible the landing of the first man on the moon by the United States, and

WHEREAS, his innumerable contributions to the welfare of his community, state, nation and the Free World have won the everlasting respect and admiration of his fellow citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, That Tuesday, February 24, 1970, be designated and set aside as "Wernher von Braun Day" in Alabama.

BE IT FURTHER RESOLVED That a copy of this resolution be furnished Dr. von Braun.

On motion of Mr. Grainger, the rules were suspended and H. J. R. 5 was adopted.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced severally read one time and referred to appropriate standing committees, as follows:

By Messrs. Shumate and Dobbs:

H. 79. To provide for eligibility to hold public office in all counties having a population of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census.

Local Legislation No. 1.

By Messrs. Brassell, Turnham and Higginbotham:

H. 80. Relating to all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; providing for the salary of the chief deputy sheriff in such counties.

Local Legislation No. 1.

By Messrs. Robertson and Bank:

H. 81. To amend Act No. 91, H. 22, Special Session 1969, Section 4, paragraph H (Acts 1969, p. 136) entitled "An Act to make annual appropriations for the support, maintenance and development of public education in Alabama for each of the fiscal years ending September 30, 1970 and September 30, 1971", so as to provide for certain teacher salary increases from the Minimum Program Fund.

Education.

By Messrs. Brassell, Turnham and Higginbotham:

H. 82. Relating to the twenty-sixth judicial circuit, authorizing the city commission of any city therein to establish a special fund and appropriate public funds thereto for the use of the district attorney for certain purposes.

Local Legislation No. 1.

RESOLUTION

The following resolution was introduced:

By Messrs. Brown, Robertson, Bank and Culver:

H. J. R. 6. WHEREAS, death as a result of cancer claimed the life of Officer Henry D. Kelley Jr., a policeman of the City of Tuscaloosa, on Friday afternoon, February 20, 1970, at the age of 46 years, and,

WHEREAS, Officer Kelley went to work for the City of Tuscaloosca Police Department in March, 1955, and,

WHEREAS, for many years he managed a school crossing zone twice a day at the Alberta Elementary Schol on University Boulevard, and his smiling face became a familiar sight to motorists as he led and directed groups of school children across heavily travelled University Boulevard, and

WHEREAS, Officer Kelley was awarded the Tuscaloosa Police Department's highest award, "The Merit Service Award," in June, 1966, after having been selected by the Alabama Petroleum Council as one of the State's outstanding law enforcement officers of that year, and,

WHEREAS, Officer Kelley, due to his friendly disposition and happy countenance, has been called Tuscaloosa's "one-man Chamber of Commerce," and,

WHEREAS, Officer Kelley was loved by all those with whom he came in contact and will be sorely missed by not only the Tuscaloosa Police Department but by all the children and the parents of children who attended the Alberta Elementary School,

NOW THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the Legislature does extend its sympathy to the City of Tuscaloosa and to the children of the Alberta City area and to the family of Officer Kelley.

BE IT FURTHER RESOLVED, that the date of February 20 each year be proclaimed as "Officer Kelley Day" in Tuscaloosa, and that appropriate commemorative ceremonies be held by all civic organizations in the city.

BE IT FURTHER RESOLVED, that a copy of this resolution be transmitted by the Clerk of the House to the Mayor of the City of Tuscaloosa and a copy be sent to the surviving family of Officer Kelley.

On motion of Mr. Brown, the rules were suspended and H. J. R. 6 was adopted.

ADJOURNMENT

On motion of Mr. Merrill, the House, pursuant to H. J. R. 4 heretofore adopted, adjourned until Tuesday, February 24, 1970, at 11 o'clock A. M.

SECOND DAY

House of Representatives
Montgomery, Alabama
Tuesday, February 24, 1970

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Donald C. Graham, Pastor, First Presbyterian Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Cameron	Ellis	Hill
Adwell	Cherner	Fine	Hobbie
Agee	Collier	Foshee	Holladay
Bank	Collins (C)	Gafford	Holman
Bassett	Collins (W)	Garrett	House
Beck	Cook (Coffee)	Gloor	Jackson (F)
Berryman (K)	Cook (Jefferson)	Graham	Jackson (T)
Berryman (W)	Crane	Grainger	Jones
Blanton	Crawford	Grayson	Kilgore
Bolton	Culver	Hain	Laxson
Bowers	Dill	Hardin	Lemley
Brannan	Dobbs	Harper	Lybrand
Brassell	Doss	Harris	Lyons
Brown	Downing	Haygood	Malone
Burgess	Drake	Headley	Manley
Burgreen	Edington	Higginbotham	Marr

Mathews	Money	Pruitt	Stembridge
Mays	Nettles	Robertson	Stubbs
McCorquodale	Neville	Sessions	Tuck
McDonald	Owen (Baldwin)	Shumate	Turnham
McElhaney	Owens (W)	Slate	Waggoner
McLain	Owens (W.E.)	Smith	Watkins
Meade	Paulk	Snell	Weeks
Meeks	Pearson	Springer	Williams
Melton	Pennington	Starnes	Wood
Merrill	Perloff	Steagall	Young

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the first legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the first legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the first legislative day was approved.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 3. Relative to a joint session of the Legislature to hear the message of the Honorable Albert P. Brewer, Governor of Alabama.

And the Presiding Officer of the Senate has named as Committee on part of the Senate Messrs. Cooper and O'Bannon.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 2. Relative to notifying the Governor that the Legislature is now in Session.

And the Presiding Officer of the Senate has appointed as Committee on part of the Senate Messrs. Clark and Jackson.

McDOWELL LEE,
Secretary.

RECESS

On motion of Mr. Merrill, the House recessed for thirty minutes, until 11:45 o'clock A. M.

HOUSE RECONVENES

The hour of 11:45 o'clock A. M. having arrived, the House reconvened. The Speaker called the House to order.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 1. To prevent discrimination on account of race, color, creed or national origin in connection with the education of the children of the State of Alabama.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with substitute, and it was read a second time and placed on the Calendar, to-wit:

H. 6 (with substitute). To make an appropriation for the construction of a high school at Weaver, Calhoun County, Alabama.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 7. To amend Section 37 of Title 52 of the Code of Alabama of 1940, as heretofore amended.

H. 8. To permit persons, firms, corporations not organized for profit, the state board of education and the trustees of all state institutions where education is a part of the program of the institution, partnerships and associations when borrowing money in amounts of not less than $100,000 to pay such rates of interest not to exceed the rate of fifteen percent per annum on the loan or forbearance of money as such borrower may agree to pay without regard to any provision of law limiting interest rates, and denying to such borrower and to others who may become liable thereon the right to claim or raise the defense of usury.

H. 9. To appropriate $120,000.00 to the State Board of Education for payment of prior obligations of the State of Alabama for Regional Education for fiscal years ending September 30, 1968 and September 30, 1969; and to provide that the said appropriation shall be paid from amounts heretofore appropriated to the State Board of Education for Regional Education for fiscal year ending September 30, 1970 by Act No. 91, Special Session 1969, approved May 14, 1969.

H. 13. Relating to taxation, making further exemptions from State sales and use taxes.

H. 15. Relating to taxation: To exempt drugs and medications, vitamins, minerals, and other nutrients used in the production of livestock and poultry from the State sales and use tax.

H. 31. To amend Code of Alabama 1940, Title 13, Section 363, relating to the jurisdiction of juvenile offenders so as to raise the maximum age at which certain offenders may be transferred to the jurisdiction of the juvenile court.

H. 32. To authorize the awarding of reasonable attorney's fees in domestic relations cases where a contempt of court citation is made.

H. 38. To permit persons, corporations not organized for profit, general partnerships, limited partnerships, and associations, whether organized for profit or non-profit, to pay a rate or rates of interest on the loan or forbearance of money having an original principal balance of not less than One Hundred Thousand Dollars ($100,000.00) as that person, corporation not organized for profit, general partnership or limited partnership, or association, whether organized for profit or non-profit, may determine, without regard to any provision of law prescribing or limiting interest rates, and denying to such persons, corporations not organized for profit, general partnerships, limited partnerships, and associations, whether organized for profit or non-profit, and to certain others who may become liable on such a loan or forbearance the right to claim or raise the defense of usury.

H. 39. To regulate extension of credit through open end credit plans, whether secured or unsecured; to provide the maximum rate of the finance charge in connection therewith; to regulate such transactions; to prescribe penalties for violation of this Act; to provide exemptions from the provisions of this Act; to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision; and to prescribe the effective date thereof.

H. 41. To amend Title 25, Section 19, Code of Alabama 1940, as amended.

H. 42. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

H. 44. To provide for the incorporation of Districts, as public corporations, for the purpose of furnishing water service, sanitary sewer service, and fire protection service, or any thereof, upon the filing of an application with, and the authorization of such incorporation by, the governing body of each county and municipality within which any such District is to be authorized to furnish any of such services; to provide that the service area specified in the original certificate of incorporation of any such District shall lie wholly within the boundaries of the county or counties by the governing bodies of which the incorporation of such District was authorized and that no part of said service area shall lie within the boundaries of any municipality by the governing body of which such incorporation was not authorized; to provide for the amendment of the certificate of incorporation of any such District for the purpose of extending the service area, and for other purposes, at any time and from time to time, upon the filing of applications with, and the authorization of each such amendment by, the governing bodies of each county and municipality in which any part of the then existing or proposed service area of such District lies; to provide for the election and compensation of directors of any such District; to provide for the powers, authorities and duties of any such District and its board of directors; to authorize any such District to acquire, construct, operate, improve and finance one or more water-works plants, water distribution systems, sanitary sewer systems, or fire protection facilities, or any combination of any thereof; to confer on any such District the power of eminent domain; to authorize any such District to employ officers, employees and agents without regard to any provisions of Act No. 217 (1967 Special Session), as amended, that might otherwise be applicable; to make provisions respecting the establishment, revision, and collection of charges for water service, sewer service and fire protection service, or any thereof, rendered by it; to provide for the issuance by any such District for any of

its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any one or more of the systems and facilities, or any thereof, of such District, without regard to the system or systems or facilities with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable instruments; to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such District for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the system or facilities out of the revenues from which such securities are payable, and to provide that any revenue securities of the District may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by a District of obligations respecting systems and facilities, or parts thereof, acquired by the District; to provide for the use of the proceeds of any revenue securities issued by a District; to provide for the refunding, by the issuance of revenue securities of a District, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such District pursuant to this Act shall not constitute or create a debt of the state or of any conny, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration; transfer any water system, sewer system, fire protection facility, or other property to any such District; to provide that the rendition by any such District of fire protection service is a governmental function and to exempt such District from all tort liability in connection with fire protection service or facilities; to exempt the property and income of any such District, and all securities issued by any such District and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such District is a party from all taxation in the state, to exempt every such District from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such District from payment of certain charges to Judges of Probate; to provide that each such District shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by any such District; and to provide for the dissolution of any such District and the disposition of its property.

H. 45. To amend Code of Alabama 1940, Title 17, Section 198 so as to provide further for the compensation and mileage allowance of election officers.

H. 51. To amend Code of Alabama 1940, Title 51, Section 342, relating to contracts of foreign corporations, so as to provide for subsequent validation of certain of such contracts which were void when made.

H. 52. To amend Section 89 of Act No. 414, S. 261, Regular Session 1959 (Acts 1959, p. 1055, at p. 1099), known as the "Alabama Business Corporation Act," so as to provide further for contracts of corporations not qualified to do business in this state.

H. 54. To amend Section 369 of Title 13, Code of Alabama, 1940, as recompiled, so as to afford a defendant the right to demand a jury trial and remove the pending charges and proceedings to Circuit Court and to provide for bond.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 62 (with amendment). To amend Act No. 567, S. 124, Regular Session 1969 (Acts 1969, p. 1049) so as to reduce the period of service required for supernumerary district attorneys.

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 73. To amend the title to and Sections 1, 3 and 5 of Act No. 79 adopted at the First Special Session of 1959 of the Legislature of Alabama so as to provide that warrants issued pursuant to Senate Act may at the option of the governing body of the county or municipality issuing such warrants constitute limited obligations of such county or municipality payable solely out of a specified tax, so as to increase the maximum permissible interest rate that may be borne by any warrants issued under the provisions of the said act, and so as to make the said act apply to any educational facility of any state institution of higher learning above the secondary school classification.

H. 77. Relating to usury; amending Code of Alabama 1940, Title 9, Sections 60, 61 and 66 so as to raise the legal rate of interest which may be charged and collected on a loan; to authorize the aggregation of principal and interest at such increased rate when arriving at the amount of periodic installments; and to provide that a banker who discounts a note, bill of exchange or draft at such increased rate will not forfeit the right to collect interest.

Mr. Haygood, Chairman of the Standing Committee on Business and Labor, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 28. To amend Section 7 of Act No. 775 enacted at the 1951 Regular Session of the Legislature of Alabama; which Act relates to Boards of Water and Sewer Commissioners.

H. 30. To amend Code of Alabama 1940, Title 13, Section 397 relative to the civil jurisdiction of the justices of the peace.

H. 64. To amend further Act No. 201, Regular Session 1955, relating to public school Administration.

Mr. Pennington, Chairman of the Standing Committee on Health, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 36. To provide for uniformity in designating county governing bodies in the several counties of this state.

H. 35. To amend Section 7, entitled "Procedure for Adopting Rules and Regulations"; Section 8, entitled "Enforcement of Rules and Regulations"; Section 10, entitled "Enforcement Proceedings by Commission"; and Section 14, entitled "Pre-emption", of Act No. 1135, S. 520, of the 1969 Regular session of the Legislature of Alabama, approved September 13, 1969, entitled "An Act to Provide for the Control of Air Pollution within the State of Alabama; to create and establish an Air Pollution

Control Commission; to prescribe the jurisdiction, powers, duties and function of the Air Pollution Control Commission; to provide for an executive director of the Commission; to provide for the enforcement of the Act and orders, rules and regulations adopted by the Air Pollution Control Commission; prescribing penalties and making appropriations", so as to change the procedure for adopting rules and regulations; so as to change the provisions for enforcement of rules and regulations; so as to change the provisions for enforcement proceedings by the Commission; so as to alter the pre-emption provisions to give Cities and Towns the authority to enact ordinances on the subject of air contamination within the Corporate Limits and the Police jurisdiction thereof; and so as to authorize the creation of County and municipal advistory boards and committees.

H. 4. To authorize the governing body of each county of the state to acquire by purchase, donation, or otherwise, land situated within the county, or within any adjoining county, for the purpose of establishing and maintaining on such land a public park or recreational area; to authorize each county to maintain and operate parks or recreational areas; to authorize the appropriation and expenditure of the funds of the county for such purposes; and to authorize two or more counties to cooperate in the joint establishment and operation of a park or recreational area.

H. 3. To levy a privilege or license tax on non-resident live fish and minnow dealers; to provide for the distribution of all monies accruing under the provisions of this act; to provide a penalty for the violation of any provision of this act.

H. 37. Authorizing every county and every municipality of the State to establish and operate a collection and disposal system for automobile hulks, discarded or abandoned appliances or equipment, junk, and any other metallic or non-metallic trash or debris; authorizing the charging of a fee or fees for such services; directing each county in the State to establish a special study commission concerning the control, storage, abandonment, or disposal of such material; authorizing the county commission to designate, by resolution of the Commission, and after a hearing, areas or zones within the county where such material may be kept or stored; and making the storage of such material unlawful, except in conformity with this act; and providing punishment for the violation thereof.

H. 2. Regulating the practice of radiologic technology, providing for appointment and operation of the Board of Radiologic Technologists Examiners for the State of Alabama; providing for examination and licensing of radiologic technologists; providing for the enforcement of this act; and prescribing penalties and fees.

Mr. Turnham, Chairman of the Standing Committee on Education, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 26. To regulate further the transfer of employees of county and city boards of education.

H. 33. To amend Section 2, III (47) of Act No. 995, 1969 Regular Session, entitled "To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools."

H. 20. Teacher-principal reassignment, retransfer reinstatement procedure, prescribing the method and procedure thereof.

H. 22. To prohibit the use of any public funds or property to provide public transportation for any student in Alabama to a point outside the zone of his or her residence as defined and fixed by court order in those schools which are operating or may hereafter be operated under a court approved or imposed zone plan of integration; to repeal all laws or parts of laws in conflict herewith; and to provide the effective date of this act.

H. 21. To provide for and require that the Attorney General of the State of Alabama represent and provide legal counsel, representation and defense for any teacher employed by any school system in Alabama where any action, adminiistrative, civil or criminal, is instituted against such teacher by reason of his or her refusal to accept an assignment to achieve or force any faculty racial balance or quota in any school or school system in Alabama; to repeal any acts in conflict herewith and to provide the effective date of this Act.

H. 65. Relating to education; to encourage individuals to give financial support to educational institutions; to authorize and direct tax assessors to grant credits against ad valorem taxes due for individuals making contributions to such educational institutions; and to provide the means by which individuals may claim credit for such contributions.

H. 81. To amend Act No. 91, H. 22, Special Session 1969, Section 4, paragraph H (Acts 1969, p. 136) entitled "An Act to make annual appropriations for the support, maintenance and development of public education in Alabama for each of the fiscal years ending September 30, 1970 and September 30, 1971," so as to provide for certain teacher salary increases from the Minimum Program Fund.

Mr. Smith, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 67. To provide for an orientation meeting for the members of the Legislature.

H. 68. To confer additional authority upon counties in relation to the construction, leasing, maintenance, and operation of detention home for lodging juvenile offenders and neglected children.

H. 69. To make a conditional appropriation to the governing bodies of the counties of Calhoun, Clay, Cleburn, Randolph and Talladega for constructing a detention home for juvenile delinquents under the jurisdiction of the courts of said counties.

Mr. Smith, Chairman of the Standing Committee on Agriculture, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, with amendment, and it was read a second time and placed on the Calendar, to-wit:

H. 10 (with amendment). Relating to fees of witnesses in criminal cases; amending Code 1940, Title 11, Section 103.

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 5. To allow prospective jurors to be excused without the presence of the defendant in the Seventh Judicial Circuit of Alabama.

H. 11. Authorizing the county governing body of counties of not less than 25,600 population nor more than 25,700 population according to the most recent federal decennial census to make an appropriation of county funds for the relief of Walter Popwell to compensate for certain damages.

H. 14. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing for the salary increases of the jailers in such counties.

H. 16. To amend further Act No. 413, H. 421 of the 1966 Special Session (Acts, 1966, p. 559), entitled "An Act relating to counties having populations of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; authorizing the constable serving the county court to appoint a deputy constable; providing for the term, duties and salary of such deputy constable," relative to the compensation of such constable.

H. 27. To apply in all counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census; to provide an allowance to the circuit clerk of such counties for clerical assistance.

H. 29. Relating to printing and publishing of certain legal advertisements in all counties having populations of not less than 61,000 nor more than 65,000, according to the most recent federal decennial census; further amending Code of Alabama, 1940, Title 7, Section 713, as amended.

H. 34. Establishing the Historic Chattahoochee Commission as a state agency to identify, acquire, own, transport, renovate, maintain, and exhibit historic or military articles, exhibits and attractions; prescribing the authority, powers, duties and functions of the Commission and its members, officers, and committees.

H. 43. To fix the fee for issuance of pistol permits in any county having a population of not less than 20,050 nor more than 21,850 according to the most recent federal decennial census; providing for the deposit of such fees; and to create a fund to be designated the Sheriff's Fund; and providing for the use of such fund for law enforcement purposes; and to validate prior collections and expenditures from such collections.

H. 46. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing for the salary increase of the Register in Chancery in such counties.

H. 63. To permit banks now or hereafter situated in cities having a population according to the most recent federal decennial census of not less than 10,230 nor more than 10,260 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such city in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of general banking and trust business, by and with the written consent of the state superintendent of banks.

H. 66. To alter, re-arrange and extend the boundaries and corporate limits of the town of Harpersville so as to incorporate certain territory as described herein.

H. 70. Relating to counties having populations of not less than 10,800 nor more than 13,000, counties having populations of not less than 19,000 nor more than 19,500, and counties having populations of not less than 65,000 nor more than 96,000; to confer additional authority upon

such counties in relation to the construction, leasing, maintenance, and operation of detention homes for lodging juveniles and persons confined on orders of juvenile court judges in such counties.

H. 71. Relating to counties having populations of not less than 65,000 nor more than 95,000; to authorize an appropriation from the county treasury to construct or acquire, or to aid in the construction or acquisition of a place of detention for juveniles or other persons ordered confined by the juvenile court judge.

H. 72. Relating to all counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census; fixing the amount of compensation and expense allowances payable to the board of equalization, the jury commission, and the board of registrars in such counties.

H. 74. Relating to counties having a population of not less than 24,800, nor more than 25,400 according to the most recent federal decennial census; by amending Act #837, H. 1106, Regular Session of the Alabama Legislature 1969, to provide for the number of working days and compensation of the members of the County Board of Equalization in said counties.

H. 75. Relating to counties having a population of not less than 24,800, nor more than 25,400 according to the most recent federal decennial census; by amending Act #515 H. 1028, Regular Session of Legislature 1969.

H. 78. To apply in all counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census, to increase the salary of the coroner in such counties.

H. 79. To provide for eligibility to hold public office in all counties having a population of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census.

H. 80. Relating to all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; providing for the salary of the chief deputy sheriff in such counties.

H. 82. Relating to the twenty-sixth judicial circuit, authorizing the city commission of any city therein to establish a special fund and appropriate public funds thereto for the use of the district attorney for certain purposes.

Mr. Downing, Chairman of the Standing Committee on Local Legislation No. 3, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 48. Applicable to those municipalities in the State having a population of not less than 200,000 nor more than 300,000 inhabitants according to the last or any subsequent Federal census; to authorize each such municipality to make appropriations to any State institution of higher learning for the payment of all or any part of the cost of any educational building or other educational facility of such institution; to authorize any such municipality to issue interest-bearing warrants for the purpose of paying all or any part of the cost of any educational building or other educational facility of a State institution of higher learning; to authorize the governing body of each such municipality to prescribe the terms and provisions of such warrants; and to provide that this act shall be cumulative and severable.

H. 47. Applicable to those counties in the State having a population of not less than 300,000 nor more than 600,000 inhabitants according to the last or any subsequent Federal census; to authorize each such county to make appropriations to any State institution of higher learning for the payment of all or any part of the cost of any educational building or other educational facility of such institution; to authorize any such county to issue interest-bearing warrants for the purpose of paying all or any part of the cost of any educational building or other educational facility of a State institution of higher learning; to authorize the governing body of each such county to prescribe the terms and provisions of such warrants; and to provide that this act shall be cumulative and severable.

Mr. McElhaney, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bills and ordered same returned to the House with a favorable report, and they were severally read a second time and placed on the Calendar, to-wit:

H. 57. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 3, Township 16 North, Range 18 East, Montgomery County, Alabama.

H. 58. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 6 and 7, Township 16 North, Range 19 East, and Sections 1 and 12, Township 16 North, Range 18 East, Montgomery County, Alabama.

H. 59. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 29 and 30, Township 17 North, Range 18 East, Montgomery County, Alabama.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Pennington and Jones:

H. J. R. 7. WHEREAS, Charles E. Grainger, a distinguished member of the House of Representatives of the State of Alabama, has been selected by the Huntsville Junior Chamber of Commerce as the outstanding young man of the year for 1969, and

WHEREAS, Charles E. Grainger, by his meritorious service to the community, his conscientious leadership in local civic affairs as well as those of state-wide importance, is most deserving of recognition by his friends in Huntsville, as well as by the members of this body, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we most heartily commend Charles E. Grainger for his achievement and recognition by the Junior Chamber of Commerce of the City of Huntsville.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the family of Charles E. Grainger, and the Huntsville Junior Chamber of Commerce.

On motion of Mr. Pennington, the rules were suspended and H. J. R. 7 was adopted.

Also:

By Mr. Mays:

H. J. R. 8. WHEREAS, Charles Rabon and George Robin Swift III, of Escambia County have been selected to participate in the second session of the Presidential Classroom for Young Americans, and

WHEREAS, the Presidential Classroom program has been designed to give bright high school seniors the opportunity to acquire first-hand instruction on the workings of the federal government by congressmen, department heads, ambassadors, newsmen, and other important national figures, and

WHEREAS, Messrs. Rabon and Swift reflect much credit upon Escambia County and the State of Alabama by their selection to receive this honor from their government, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That this body congratulates Charles Rabon and George Robin Swift III on their achievement.

BE IT FURTHER RESOLVED, that copies of this resolution be sent to Charles Rabon and George Robin Swift, III.

On motion of Mr. Mays, the rules were suspended and H. J. R. 8 was adopted.

Also:

By Mr. Meade:

H. J. R. 9. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the school for retarded children in Cherokee County is hereby named the "D. Day School" in recognition of the outstanding work done by Mrs. D. Day in getting this school established and her untiring interest in bettering the lot of handicapped children of Cherokee County. Mrs. Day devoted her time and talents to the project of getting this special school for handicapped established and it is a most appropriate tribute to her that this school bear her name.

BE IT FURTHER RESOLVED that a copy of this resolution be sent to Mrs. Day and that a copy thereof be sent to the Cherokee County Board of Education.

On motion of Mr. Meade, the rules were suspended and H. J. R. 9 was adopted.

UNANIMOUS CONSENT

At the request of Mr. Weeks, unanimous consent was granted to remove his name as co-sponsor on the bill, H. 35.

RESOLUTION

The following resolution was introduced:

By Messrs. Cherner, Fite, Adwell, Agee, Bank, Bassett, Beck, Berryman (K), Berryman (W), Blanton, Bolton, Bowers, Brannan, Brassell, Brown, Burgess, Burgreen, Cameron, Collier, Collins (C), Collins (W), Cook (Coffee), Cook (Jefferson), Crane, Crawford, Culver, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Foshee, Gafford, Garrett, Gloor, Graham, Grainger, Grayson, Hain, Hardin, Harper, Harris, Haygood, Headley, Higginbotham, Hill, Hobbie, Holladay, Holman, House, Jackson (F), Jackson (T), Jones, Kilgore,

Laxson, Lemley, Lybrand, Lyons, Malone, Manley, Marr, Mathews, Mays, McCorquodale, McDonald, McElhaney, McLain, Meade, Meeks, Melton, Merrill, Money, Nettles, Neville, Owen (Baldwin), Owens (W), Owens (W.E.), Paulk, Pearson, Pennington, Perloff, Pruitt, Robertson, Shumate, Slate, Smith, Snell, Springer, Starnes, Steagall, Stembridge, Stubbs, Tuck, Turnham, Waggoner, Watkins, Weeks, Williams, Wood, Yeilding and Young:

H. J. R. 10. WHEREAS Representative Paul Trammel Sessions, affectionately known to his host of friends as Tram, has announced his intention not to seek reelection for another term of office; and

WHEREAS Representative Sessions will soon complete twenty years of service in the Legislative Halls of this State where he most ably and effectively sponsored and supported measures furthering the welfare and progress of his home County of Jefferson and the entire State; and

WHEREAS Mr. Sessions has long been noted for his fairminded opinions on legislative matters and his firm belief in the principles for which he stands; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF ALABAMA, THE SENATE CONCURRING, That we shall miss the jovial and knowledgeable presence of our good friend, Tram Sessions, and wish him much happiness and satisfaction in all his future endeavors.

On motion of Mr. Cherner, the rules were suspended and H. J. R. 10 was adopted.

NOTICE IN WRITING

Mr. Grayson offered the following Notice in Writing:

Notice is hereby given that according to House rule 42, I am going to request that the House direct the standing committee on Ways and Means to report to the floor of this body House Bill 53.

INTRODUCTION OF BILLS

Upon a call of counties bills were introduced severally read one time and referred to appropriate standing committees, as follows:

By Mr. Graham:

H. 83. Proposing an amendment to the Constitution to prevent discrimination on account of race, color, creed or national origin in connection with the education of the children of the State of Alabama.

Ways and Means.

The above bill was read a first time at length as required by the Constitution.

By Messrs. Hobbie, Springer, Harris, McElhaney and Cameron:

H. 84. To regulate further fees of justices of the peace in all counties having populations of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census; to provide that in lieu of justices' fees in criminal cases in such counties for the collection by justices of the peace of a fixed charge per case in all criminal cases, all of which must be remitted to the state, and for the payment by the state of compensation to justices of the peace for all their services pertaining to criminal cases disposed of in their respective courts on the basis of their case loads; and to provide further for the bond and surety to be given by such justices.

Local Legislation No. 4.

By Messrs. Brassell, Higginbotham and Turnham:

H. 85. Relating to the distribution of the state sales tax; to require the state department of revenue to return to counties having populations of not less than 46,000 nor more than 46,500 a portion of the state sales tax funds collected in such county; and to prescribe the use of such funds.

Local Legislation No. 1.

ADJOURNMENT

On motion of Mr. Merrill, the House adjourned until Wednesday, February 25, 1970, at eleven o'clock A. M.

THIRD DAY

House of Representatives
Montgomery, Alabama
Wednesday, February 25, 1970

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend W. H. Swearingen, Retired Baptist minister, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Dill	House	Owens (W.E.)
Adwell	Dobbs	Jackson (F)	Paulk
Agee	Doss	Jackson (T)	Pearson
Bank	Downing	Jones	Pennington
Bassett	Drake	Kilgore	Perloff
Beck	Edington	Lemley	Pruitt
Berryman (K)	Ellis	Lybrand	Robertson
Berryman (W)	Fine	Lyons	Sessions
Blanton	Foshee	Malone	Shumate
Bolton	Gafford	Manley	Slate
Bowers	Garrett	Marr	Smith
Brannan	Gloor	Mathews	Snell
Brassell	Graham	Mays	Springer
Brown	Grainger	McCorquodale	Starnes
Burgess	Grayson	McDonald	Steagall
Burgreen	Hain	McElhaney	Stembridge
Cameron	Hardin	McLain	Stubbs
Cherner	Harper	Meade	Tuck
Collier	Harris	Meeks	Turnham
Collins (C)	Haygood	Melton	Waggoner
Collins (W)	Headley	Merrill	Watkins
Cook (Coffee)	Higginbotham	Money	Weeks
Cook (Jefferson)	Hill	Nettles	Williams
Crane	Hobbie	Neville	Wood
Crawford	Holladay	Owen (Baldwin)	Yeilding
Culver	Holman	Owens (W)	Young

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the second legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the second legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the second legislative day was approved.

BILLS ON SECOND READING

Mr. Bassett, Chairman of the Standing Committee on Local Legislation No. 1, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 85. Relating to the distribution of the state sales tax; to require the state department of revenue to return to counties having populations of not less than 46,000 nor more than 46,500 a portion of the state sales tax funds collected in such county; and to prescribe the use of such funds.

Mr. McElhaney, Chairman of the Standing Committee on Local Legislation No. 4, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

H. 84. To regulate further fees of justices of the peace in all counties having popluations of not less than 150,000 nor more than 300,000 according to the most recent federal decennial census; to provide that in lieu of justices' fees in criminal cases in such counties for the collection by justices of the peace of a fixed charge per case in all criminal cases, all of which must be remitted to the state, and for the payment by the state of compensation to justices of the peace for all their services pertaining to criminal cases disposed of in their respective courts on the basis of their case loads; and to provide further for the bond and surety to be given by such justices.

MOTION TO REPORT H. 53

Pursuant to notice in writing filed on yesterday, Mr. Grayson moved to have the House direct the Standing Committee on Ways and Means to report the bill, H. 53, to the House for consideration.

MOTION TABLED

On motion of Mr. Lybrand, the motion of Mr. Grayson was laid on the table.

RESOLUTION

The following resolution was introduced:

By Messrs. Doss, Slate, Bank, Culver, Brown, Robertson, Holladay, Fite, Adwell, Agee, Bassett, Beck, Berryman (K), Berryman (W),

Blanton, Bolton, Bowers, Brannan, Brassell, Burgress, Burgreen, Cameron, Cherner, Collier, Collins (C), Collins (W), Cook (Coffee), Cook (Jefferson), Crane, Crawford, Dill, Dobbs, Downing, Drake, Edington, Ellis, Fine, Foshee, Gafford, Garrett, Gloor, Graham, Grainger, Grayson, Hain, Hardin, Harper, Harris, Haygood, Headley, Higginbotham, Hill, Hobbie, Holman, House, Jackson (F), Jackson (T), Jones, Kilgore, Laxson, Lemley, Lybrand, Lyons, Malone, Manley, Marr, Mathews, Mays, McCorquodale, McDonald, McElhaney, McLain, Meade, Meeks, Melton, Merrill, Money, Nettles, Neville, Owen (Baldwin), Owens (W), Owens (W.E.), Paulk, Pearson, Pennington, Perloff, Pruitt, Sessions, Shumate, Smith, Snell, Springer, Starnes, Steagall, Stembridge, Stubbs, Tuck, Turnham, Waggoner, Watkins, Weeks, Williams, Wood, Yeilding and Young:

H. J. R. 11. WHEREAS the tragic and untimely death of Richard Grammer on Wednesday, December 17, 1969, three days before his twenty-third birthday has deeply grieved not only those who knew him personally, but those who have followed his outstanding athletic career at the University of Alabama, and

WHEREAS Richard Grammer epitomized all that is excellent in today's youth; his keen competitive spirit, his devotion to sports and his love of the great outdoors all serving to make him the kind of young man our State and Nation will always need, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply mourn the passing of Richard Grammer and express our heartfelt sympathy to his family, his fiancee, and to his teammates at Alabama.

BE IT FURTHER RESOLVED that copies of this resolution be sent to Mr and Mrs. Henry H. Grammer, Huntsville, Alabama, Miss Susan Gross, Montgomery, Coach Paul Bryant at the University of Alabama and 18 copies to the coaches and staff of the Alabama football team, and also to the former coach of the Morgan County High School, Hartselle, Alabama, Coach J. P. Cain.

On motion of Mr. Doss, the rules were suspended and H. J. R. 11 was adopted.

BILLS ON THIRD READING

And the bill:

H. 5. To allow prospective jurors to be excused without the presence of the defendant in the Seventh Judicial Circuit of Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Brannan	Culver	Gloor
Agee	Brassell	Dobbs	Graham
Bank	Brown	Downing	Grayson
Bassett	Cameron	Drake	Hain
Beck	Collier	Edington	Hardin
Berryman (K)	Collins (C)	Fine	Harper
Berryman (W)	Collins (W)	Gafford	Harris
Blanton	Crane	Garrett	Haygood

Headley	Manley	Owen (Baldwin)	Springer
Hill	Marr	Owens (W.E.)	Starnes
Hobbie	Mathews	Paulk	Stubbs
Holladay	Mays	Pearson	Tuck
Holman	McCorquodale	Pennington	Turnham
Jackson (F)	McElhaney	Perloff	Watkins
Jackson (T)	McLain	Pruitt	Weeks
Jones	Meade	Robertson	Williams
Kilgore	Merrill	Sessions	Wood
Lemley	Money	Shumate	Yeilding
Lybrand	Nettles	Smith	Young
Malone	Neville	Snell	

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And the bill:

H. 11. Authorizing the county governing body of counties of not less then 25,600 population nor more than 25,700 population according to the most recent federal decennial census to make an appropriation of county funds for the relief of Walter Popwell to compensate for certain damages.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 84; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Paulk
Agee	Drake	Jackson (T)	Pearson
Bassett	Edington	Jones	Pennington
Beck	Ellis	Kilgore	Perloff
Berryman (K)	Fine	Lemley	Pruitt
Berryman (W)	Foshee	Lybrand	Robertson
Blanton	Gafford	Lyons	Sessions
Bolton	Garrett	Manley	Shumate
Bowers	Gloor	Marr	Slate
Brannan	Graham	Mathews	Smith
Brassell	Grayson	Mays	Snell
Brown	Hain	McDonald	Springer
Burgreen	Hardin	McElhaney	Starnes
Cameron	Harper	McLain	Tuck
Cherner	Harris	Meade	Turnham
Collier	Haygood	Meeks	Waggoner
Collins (C)	Headley	Merrill	Watkins
Collins (W)	Higginbotham	Money	Weeks
Crane	Hobbie	Nettles	Williams
Culver	Holladay	Owen (Baldwin)	Yeilding
Dobbs	Holman	Owens (W.E.)	Young

—84

And the bill:

H. 14. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing for the salary increases of the jailers in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Owens (W.E.)
Agee	Drake	Jones	Paulk
Bassett	Edington	Kilgore	Pearson
Beck	Ellis	Lemley	Pennington
Berryman (K)	Fine	Lybrand	Perloff
Berryman (W)	Foshee	Lyons	Pruitt
Blanton	Gafford	Malone	Robertson
Bolton	Garrett	Manley	Sessions
Bowers	Gloor	Marr	Shumate
Brannan	Graham	Mathews	Slate
Brassell	Grayson	Mays	Smith
Brown	Hain	McCorquodale	Snell
Burgreen	Hardin	McDonald	Springer
Cameron	Harper	McElhaney	Starnes
Cherner	Harris	McLain	Tuck
Collier	Headley	Meade	Turnham
Collins (C)	Higginbotham	Meeks	Waggoner
Collins (W)	Hill	Merrill	Watkins
Crane	Hobbie	Money	Weeks
Culver	Holladay	Nettles	Williams
Dobbs	Holman	Neville	Yeilding
Doss	Jackson (F)	Owen (Baldwin)	Young

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And the bill:

H. 16. To amend further Act No. 413, H. 421 of the 1966 Special Session (Acts, 1966, p. 559), entitled "An Act relating to counties having populations of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; authorizing the constable serving the county court to appoint a deputy constable; providing for the term, duties and salary of such deputy constable," relative to the compensation of such constable.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Crane	Haygood	Mays
Agee	Culver	Headley	McCorquodale
Bassett	Dobbs	Higginbotham	McDonald
Beck	Doss	Hill	McElhaney
Berryman (K)	Downing	Hobbie	McLain
Berryman (W)	Drake	Holladay	Meade
Blanton	Edington	Holman	Meeks
Bolton	Ellis	House	Merrill
Bowers	Fine	Jackson (F)	Money
Brannan	Foshee	Jackson (T)	Nettles
Brassell	Gafford	Jones	Neville
Brown	Garrett	Kilgore	Owen (Baldwin)
Burgreen	Gloor	Lemley	Owens (W.E.)
Cameron	Graham	Lybrand	Paulk
Cherner	Grayson	Lyons	Pearson
Collier	Hain	Malone	Pennington
Collins (C)	Hardin	Manley	Perloff
Collins (W)	Harper	Marr	Pruitt
Cook (Jefferson)	Harris	Mathews	Robertson

Sessions	Snell	Turnham	Williams
Shumate	Springer	Waggoner	Wood
Slate	Starnes	Watkins	Yeilding
Smith	Tuck	Weeks	Young

—92

And the bill:

H. 27. To apply in all counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census; to provide an allowance to the circuit clerk of such counties for clerical assistance.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Owens (W.E.)
Agee	Downing	Jackson (T)	Paulk
Bank	Drake	Jones	Pearson
Bassett	Edington	Kilgore	Pennington
Beck	Ellis	Lemley	Perloff
Berryman (K)	Fine	Lybrand	Pruitt
Berryman (W)	Foshee	Lyons	Robertson
Blanton	Gafford	Malone	Sessions
Bolton	Garrett	Manley	Shumate
Bowers	Graham	Marr	Slate
Brannan	Grayson	Mathews	Smith
Brassell	Hain	Mays	Snell
Brown	Hardin	McCorquodale	Springer
Burgreen	Harper	McDonald	Starnes
Cameron	Harris	McElhaney	Tuck
Cherner	Haygood	McLain	Turnham
Collier	Headley	Meade	Waggoner
Collins (C)	Higginbotham	Meeks	Watkins
Collins (W)	Hill	Merrill	Weeks
Cook (Jefferson)	Hobbie	Money	Williams
Crane	Holladay	Nettles	Wood
Culver	Holman	Neville	Yeilding
Dobbs	House	Owen (Baldwin)	Young

—92

And the bill:

H. 29. Relating to printing and publishing of certain legal advertisements in all counties having populations of not less than 61,000 nor more than 65,000, according to the most recent federal decennial census; further amending Code of Alabama, 1940, Title 7, Section 713, as amended.

Was taken up.

H. 29 INDEFINITELY POSTPONED

On motion of Mr. Hill, the bill, H. 29, was indefinitely postponed.

And the bill:

H. 34. Establishing the Historic Chattahoochee Commission as a state agency to identify, acquire, own, transport, renovate, maintain, and exhibit historic or military articles, exhibits and attractions; prescribing the authority, powers, duties and functions of the Commission and its members, officers, and committees.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 92; Nays 0.

Yeas:

Mr. Speaker	Downing	House	Owen (Baldwin)
Agee	Drake	Jackson (F)	Owens (W)
Bank	Edington	Jackson (T)	Owens (W.E.)
Bassett	Ellis	Jones	Paulk
Beck	Fine	Kilgore	Pearson
Berryman (K)	Foshee	Lemley	Pennington
Berryman (W)	Gafford	Lybrand	Perloff
Blanton	Garrett	Lyons	Pruitt
Bolton	Gloor	Malone	Robertson
Bowers	Graham	Manley	Sessions
Brannan	Grainger	Marr	Shumate
Brassell	Grayson	Mathews	Slate
Brown	Hain	Mays	Snell
Burgreen	Hardin	McCorquodale	Springer
Cameron	Harper	McDonald	Starnes
Cherner	Harris	McElhaney	Tuck
Collier	Haygood	McLain	Turnham
Collins (C)	Headley	Meade	Waggoner
Collins (W)	Higginbotham	Meeks	Weeks
Crane	Hill	Merrill	Williams
Culver	Hobbie	Money	Wood
Dobbs	Holladay	Nettles	Yeilding
Doss	Holman	Neville	Young

—92

And the bill:

H. 43. To fix the fee for issuance of pistol permits in any county having a population of not less than 20,050 nor more than 21,850 according to the most recent federal decennial census; providing for the deposit of such fees; and to create a fund to be designated the Sheriff's Fund; and providing for the use of such fund for law enforcement purposes; and to validate prior collections and expenditures from such collections.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Crane	Hardin	Lyons
Agee	Culver	Harper	Malone
Bassett	Dobbs	Harris	Manley
Beck	Doss	Haygood	Marr
Berryman (K)	Downing	Headley	Mathews
Berryman (W)	Drake	Higginbotham	Mays
Blanton	Edington	Hill	McCorquodale
Bolton	Ellis	Hobbie	McDonald
Bowers	Fine	Holladay	McElhaney
Brannan	Foshee	Holman	McLain
Brassell	Gafford	House	Meade
Burgreen	Garrett	Jackson (F)	Meeks
Cameron	Gloor	Jackson (T)	Merrill
Cherner	Graham	Jones	Money
Collier	Grainger	Kilgore	Nettles
Collins (C)	Grayson	Lemley	Owen (Baldwin)
Collins (W)	Hain	Lybrand	Owens (W)

Owens (W.E.)	Sessions	Starnes	Weeks
Pearson	Shumate	Steagall	Williams
Pennington	Slate	Tuck	Wood
Perloff	Snell	Turnham	Yeilding
Pruitt	Springer	Waggoner	Young
Robertson			

—89

And the bill:

H. 46. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing for the salary increase of the Register in Chancery in such counties.

Was taken up.

Messrs. Drake and Starnes offered the following substitute for the bill, H. 46:

A BILL
TO BE ENTITLED
AN ACT

Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing for the salary of the Register in Chancery in such counties.

Be It Enacted by the Legislature of Alabama:

SECTION 1. In all counties having a population of not less than 42,000, nor more than 46,000 according to the most recent Federal decennial census, the Register in Chancery shall receive a salary of $8,200.00 per annum, which salary shall be paid to such officer from the general funds of such County in equal monthly installments.

SECTION 2. This salary shall be paid in lieu of the salary and expense allowances previously allowed such officer by law.

SECTION 3. This Act is cumulative.

SECTION 4. This Act shall take effect on the first of the month next following the date of its enactment.

And the substitute was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Collins (W)	Grayson	Kilgore
Agee	Crane	Hain	Lemley
Bassett	Culver	Hardin	Lybrand
Beck	Dobbs	Harper	Lyons
Berryman (K)	Doss	Harris	Malone
Berryman (W)	Downing	Haygood	Manley
Blanton	Drake	Headley	Marr
Bolton	Edington	Higginbotham	Mathews
Bowers	Ellis	Hill	Mays
Brannan	Fine	Hobbie	McCorquodale
Brassell	Foshee	Holladay	McDonald
Burgreen	Gafford	House	McElhaney
Cameron	Garrett	Jackson (F)	McLain
Cherner	Graham	Jackson (T)	Meade
Collier	Grainger	Jones	Meeks

Merrill	Pearson	Slate	Waggoner
Money	Pennington	Smith	Weeks
Nettles	Perloff	Snell	Williams
Owen (Baldwin)	Pruitt	Starnes	Wood
Owens (W)	Robertson	Steagall	Yeilding
Owens (W.E.)	Sessions	Tuck	Young
Paulk	Shumate	Turnham	—87

And the bill, H. 46, as thus amended:

Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing for the salary of the Register in Chancery in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Edington	Jackson (T)	Paulk
Agee	Ellis	Jones	Pearson
Bassett	Fine	Lemley	Pennington
Beck	Foshee	Lybrand	Perloff
Berryman (K)	Gafford	Lyons	Pruitt
Berryman (W)	Garrett	Malone	Robertson
Blanton	Graham	Manley	Sessions
Bolton	Grainger	Marr	Shumate
Bowers	Grayson	Mays	Slate
Brannan	Hain	McCorquodale	Smith
Brassell	Hardin	McDonald	Snell
Burgreen	Harper	McElhaney	Starnes
Cameron	Harris	McLain	Steagall
Cherner	Haygood	Meade	Tuck
Collier	Headley	Meeks	Turnham
Collins (C)	Higginbotham	Merrill	Waggoner
Collins (W)	Hill	Money	Weeks
Crane	Hobbie	Nettles	Williams
Dobbs	Holladay	Neville	Wood
Doss	Holman	Owen (Baldwin)	Yeilding
Downing	House	Owens (W)	Young
Drake	Jackson (F)		—86

And the bill:

H. 63. To permit banks now or hereafter situated in cities having a population according to the most recent federal decennial census of not less than 10,230 nor more than 10,260 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such city in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of general banking and trust business, by and with the written consent of the state superintendent of banks.

Was taken up.

Messrs. Bassett and Hardin offered the following amendment to the bill, H. 63:

Amend House Bill 63 as follows:

In caption, delete the words "now or hereafter situated" and insert in lieu thereof the words "having principal place of business"

And the amendment was adopted.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Edington	Jackson (T)	Owens (W.E.)
Adwell	Ellis	Jones	Paulk
Agee	Fine	Lemley	Pearson
Bassett	Foshee	Lybrand	Pennington
Beck	Gafford	Lyons	Perloff
Berryman (K)	Garrett	Manley	Pruitt
Berryman (W)	Gloor	Marr	Robertson
Blanton	Graham	Mathews	Sessions
Bowers	Grainger	Mays	Shumate
Brannan	Grayson	McCorquodale	Slate
Brassell	Hain	McDonald	Smith
Burgreen	Hardin	McElhaney	Snell
Cameron	Harper	McLain	Springer
Cherner	Harris	Meade	Starnes
Collier	Haygood	Meeks	Steagall
Collins (W)	Headley	Merrill	Tuck
Crane	Higginbotham	Money	Turnham
Culver	Hill	Nettles	Weeks
Dobbs	Hobbie	Neville	Williams
Doss	House	Owen (Baldwin)	Wood
Downing	Jackson (F)	Owens (W)	Young
Drake			

—85

And the bill, H. 63, as thus amended:

H. 63. To permit banks having principal place of business in cities having a population according to the most recent federal decennial census of not less than 10,230 nor more than 10,260 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such city in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of general banking and trust business, by and with the written consent of the state superintendent of banks.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 81; Nays 0.

Yeas:

Mr. Speaker	Doss	Headley	Meade
Adwell	Downing	Hill	Meeks
Agee	Drake	House	Merrill
Bassett	Ellis	Jackson (F)	Money
Beck	Fine	Jackson (T)	Nettles
Berryman (W)	Foshee	Jones	Neville
Blanton	Gafford	Lemley	Owen (Baldwin)
Bowers	Garrett	Lybrand	Owens (W)
Brannan	Gloor	Lyons	Owens (W.E.)
Brassell	Graham	Manley	Paulk
Burgreen	Grainger	Marr	Pearson
Cherner	Grayson	Mathews	Pennington
Collier	Hain	Mays	Perloff
Collins (W)	Hardin	McCorquodale	Pruitt
Crane	Harper	McDonald	Robertson
Culver	Harris	McElhaney	Shumate
Dobbs	Haygood	McLain	Slate

Smith	Steagall	Watkins	Wood
Snell	Tuck	Weeks	Yeilding
Springer	Turnham	Williams	Young
Starnes			—81

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 7. Commending Charles E. Grainger for his achievement and recognition by the Junior Chamber of Commerce of Huntsville.

Also:

H. J. R. 8. Congratulating Charles Rabon and George Robin Swift, III on having been selected to participate in the second session of the Presidential Classroom for Young Americans.

Also:

H. J. R. 9. Designating the school for retarded children in Cherokee County the "D. Day School".

Also:

H. J. R. 10. Expressing the good wishes of the Legislature to Honorable Tram Sessions on his political retirement.

McDOWELL LEE,
Secretary.

BILLS ON THIRD READING RESUMED

And the bill:

H. 66. To alter, re-arrange and extend the boundaries and corporate limits of the town of Harpersville so as to incorporate certain territory as described herein.

Was taken up.

Mr. Stubbs offered the following amendment to the bill, H. 66:

Strike out Section 2 in its entirety and insert in lieu thereof the following:

Section 2. The substantive provisions of this Act shall become operative only if the Act is approved by the qualified electors who reside within that part of the territory hereinabove described which is not presently included within the corporate limits of the Town of Harpersville, voting in a referendum election to be held on a day designated by the probate judge of Shelby County, not less than twenty nor more than forty days from the date of this enactment. The notice of the election shall be given by the probate judge of Shelby County, and the election shall be held, conducted and the results thereof canvassed in the manner prescribed by Article 2 of Chapter 5 of Title 37, Code of Alabama 1940, for giving notice of and conducting elections on the question of annexing territory to cities of twenty-five thousand or more inhabitants insofar as such provisions of said article may be appropriate; provided, however, no resolution of the municipal governing body need be made or filed with the probate judge, nor need a plat or map of the territory to be annexed be filed with the probate judge. The question shall be on the

adoption of Act No. _____ of the 1970 Special Session of the Legislature, which alters, rearranges and extends the corporate limits of the Town of Harpersville in Shelby County. Each voter may furnish his own ballot, and if he desires to vote for the adoption of said Act there shall be written or printed on such ballot the word "Yes." If he desires to vote against the adoption of such Act the word "No" shall be written or printed on his ballot. The Town of Harpersville shall pay all costs and expenses incident to the election.

If a majority of the votes cast in the election are "Yes" the provisions of this Act shall become operative immediately. If the majority are "No" this Act shall have no further effect.

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Drake	House	Owens (W)
Adwell	Edington	Jackson (F)	Owens (W.E.)
Agee	Ellis	Jackson (T)	Paulk
Bassett	Fine	Jones	Pearson
Beck	Foshee	Kilgore	Pennington
Berryman (K)	Gafford	Lemley	Perloff
Berryman (W)	Garrett	Lybrand	Pruitt
Blanton	Gloor	Lyons	Sessions
Bowers	Graham	Malone	Shumate
Brannan	Grainger	Manley	Slate
Brassell	Grayson	Marr	Snell
Brown	Hain	Mathews	Springer
Burgreen	Hardin	Mays	Starnes
Cameron	Harper	McCorquodale	Steagall
Cherner	Harris	McElhaney	Tuck
Collier	Haygood	McLain	Turnham
Collins (C)	Headley	Meade	Weeks
Collins (W)	Higginbotham	Meeks	Williams
Culver	Hill	Merrill	Wood
Dobbs	Hobbie	Money	Yeilding
Doss	Holladay	Nettles	Young
Downing	Holman	Owen (Baldwin)	—87

And the bill, H. 66, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Cherner	Graham	Jackson (F)
Adwell	Collier	Grainger	Jackson (T)
Agee	Collins (W)	Grayson	Jones
Bassett	Crane	Hain	Kilgore
Beck	Dobbs	Hardin	Lemley
Berryman (K)	Doss	Harper	Lybrand
Berryman (W)	Downing	Harris	Lyons
Blanton	Drake	Haygood	Malone
Bolton	Edington	Headley	Manley
Bowers	Ellis	Higginbotham	Marr
Brannan	Fine	Hill	Mathews
Brassell	Foshee	Hobbie	Mays
Brown	Gafford	Holladay	McCorquodale
Burgreen	Garrett	Holman	McElhaney
Cameron	Gloor	House	McLain

Meade	Owens (W.E.)	Shumate	Waggoner	
Meeks	Paulk	Slate	Weeks	
Merrill	Pearson	Springer	Williams	
Money	Pennington	Starnes	Wood	
Nettles	Perloff	Steagall	Yeilding	
Owen (Baldwin)	Pruitt	Tuck	Young	
Owens (W)	Sessions	Turnham		—87

And the bill:

H. 70. Relating to counties having populations of not less than 10,800 nor more than 13,000, counties having populations of not less than 19,000 nor more than 19,500, and counties having populations of not less than 65,000 nor more than 96,000; to confer additional authority upon such counties in relation to the construction, leasing, maintenance, and operation of detention homes for lodging juveniles and persons confined on orders of juvenile court judges in such counties.

Was taken up.

UNANIMOUS CONSENT GRANTED TO CO-SPONSOR

At the request of Mr. Young, unanimous consent was granted for his name to be added as co-sponsor to the bill, H. 70.

And the bill, H. 70, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 94; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Paulk	
Adwell	Drake	Jackson (T)	Pearson	
Agee	Edington	Jones	Pennington	
Bassett	Ellis	Kilgore	Perloff	
Beck	Fine	Lemley	Pruitt	
Berryman (K)	Foshee	Lybrand	Sessions	
Berryman (W)	Gafford	Lyons	Shumate	
Blanton	Garrett	Malone	Slate	
Bolton	Gloor	Manley	Smith	
Bowers	Graham	Marr	Snell	
Brannan	Grainger	Mathews	Springer	
Brassell	Grayson	Mays	Starnes	
Brown	Hain	McCorquodale	Steagall	
Burgreen	Hardin	McDonald	Stubbs	
Cameron	Harper	McElhaney	Tuck	
Cherner	Harris	McLain	Turnham	
Collier	Haygood	Meade	Waggoner	
Collins (C)	Headley	Meeks	Watkins	
Collins (W)	Higginbotham	Merrill	Weeks	
Cook (Jefferson)	Hill	Money	Williams	
Crane	Hobbie	Nettles	Wood	
Culver	Holladay	Owen (Baldwin)	Yeilding	
Dobbs	Holman	Owens (W)	Young	
Doss	House			—94

And the bill:

H. 71. Relating to counties having populations of not less than 65,000 nor more than 95,000; to authorize an appropriation from the county treasury to construct or acquire, or to aid in the construction or acquisition of a place of detention for juvenile or other persons ordered confined by the juvenile court judge.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Downing	House	Owens (W)
Adwell	Drake	Jackson (F)	Owens (W.E.)
Agee	Edington	Jackson (T)	Paulk
Bassett	Ellis	Jones	Pearson
Beck	Fine	Kilgore	Pennington
Berryman (K)	Foshee	Lemley	Perloff
Berryman (W)	Gafford	Lybrand	Pruitt
Blanton	Garrett	Lyons	Sessions
Bolton	Gloor	Malone	Shumate
Bowers	Graham	Manley	Slate
Brannan	Grainger	Marr	Smith
Brassell	Grayson	Mathews	Snell
Brown	Hain	Mays	Springer
Burgreen	Hardin	McCorquodale	Starnes
Cameron	Harper	McDonald	Steagall
Cherner	Harris	McElhaney	Tuck
Collier	Haygood	McLain	Turnham
Collins (C)	Headley	Meade	Waggoner
Collins (W)	Higginbotham	Meeks	Weeks
Cook (Jefferson)	Hill	Merrill	Williams
Crane	Hobbie	Money	Wood
Culver	Holladay	Nettles	Yeilding
Dobbs	Holman	Owen (Baldwin)	Young
Doss			—93

And the bill:

H. 72. Relating to all counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census; fixing the amount of compensation and expense allowances payable to the board of equalization, the jury commission, and the board of registrars in such counties.

Was taken up.

Mr. Smith offered the following amendment to the bill, H. 72:

Strike out Section 1 in its entirety and substitute in lieu thereof the following:

Section 1. In all counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census, each member of the board of equalization and each member of the board of registrars shall be entitled, in addition to all other expense allowances and compensation prescribed by law, to an expense allowance of $10.00 per day for each meeting day authorized by law on which the member is in actual attendance. Each member of the jury commission in all such counties shall be entitled to an expense allowance of $25.00 per month, which shall be in addition to all other expense allowances and compensation prescribed by law. The allowances provided in this section shall be payable from the county treasury effective October 1, 1969, through the remainder of the terms of the incumbent members of the board of equalization, the board of registrars, and the jury commission.

And the amendment was adopted.

Yeas 87; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Owens (W.E.)
Agee	Drake	Jackson (T)	Pearson
Bassett	Edington	Jones	Pennington
Beck	Ellis	Kilgore	Perloff
Berryman (K)	Fine	Lemley	Pruitt
Berryman (W)	Foshee	Lybrand	Robertson
Blanton	Gafford	Lyons	Sessions
Bolton	Garrett	Malone	Shumate
Bowers	Graham	Manley	Slate
Brannan	Grainger	Marr	Smith
Brassell	Grayson	Mathews	Snell
Burgreen	Hain	Mays	Springer
Cameron	Hardin	McCorquodale	Starnes
Cherner	Harper	McDonald	Steagall
Collier	Harris	McLain	Tuck
Collins (C)	Haygood	Meade	Turnham
Collins (W)	Headley	Meeks	Weeks
Cook (Jefferson)	Higginbotham	Merrill	Williams
Crane	Hobbie	Money	Wood
Culver	Holladay	Nettles	Yeilding
Dobbs	Holman	Owen (Baldwin)	Young
Doss	House	Owens (W)	

—87

And the bill, H. 72, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Owens (W)
Agee	Downing	Jackson (T)	Owens (W.E.)
Bassett	Drake	Jones	Paulk
Beck	Edington	Kilgore	Pearson
Berryman (W)	Ellis	Lemley	Pennington
Blanton	Fine	Lybrand	Perloff
Bolton	Foshee	Lyons	Pruitt
Bowers	Gafford	Malone	Robertson
Brannan	Garrett	Manley	Sessions
Brassell	Graham	Marr	Shumate
Brown	Grainger	Mathews	Slate
Burgess	Grayson	Mays	Smith
Burgreen	Hain	McCorquodale	Snell
Cameron	Hardin	McDonald	Starnes
Cherner	Harper	McElhaney	Steagall
Collier	Harris	McLain	Tuck
Collins (C)	Haygood	Meade	Turnham
Collins (W)	Headley	Meeks	Weeks
Cook (Jefferson)	Higginbotham	Merrill	Williams
Crane	Hobbie	Money	Wood
Culver	Holman	Nettles	Yeilding
Dobbs	House	Owen (Baldwin)	Young

—88

And the bill:

H. 74. Relating to counties having a population of not less than 24,800, nor more than 25,400 according to the most recent federal decennial census; by amending Act #837, H. 1106, Regular Session of the Alabama Legislature 1969, to provide for the number of working days and

compensation of the members of the County Board of Equalization in said counties.

Was taken up.

Mr. Holladay offered the following amendment to the bill, H. 74:

Strike out the period at the end of the title and insert in lieu thereof a semicolon, then add the following: and providing that this Act shall become effective only if approved at a referendum held in the county affected.

Also, strike out Section 3 in its entirety and insert in lieu thereof the following:

Section 3. This Act shall be inoperative and void unless it shall have been approved by a majority of the qualified electors of the county involved who vote thereon at a referendum election held for such purpose. The election shall be held and conducted as nearly as may be in the same way as elections on amendments to the Constitution, and shall be held on the same day as the next general election of state and county officers next following final passage of this Act. Notice of the election shall be given by the judge of probate of the county, which notice shall be published once a week for three successive weeks before the day of the election. On the ballots to be used at the election, the proposition to be voted on shall be stated substantially as follows:

"Do you favor the law proposed by H. B. 74 of the Special Session of 1970, fixing the compensation of the members of the county board of equalization of certain counties, classified by population? Yes ( ) No ( )." If a majority of the votes cast at the election are affirmative votes, this Act shall be in full force and effect in the county in which such election is held immediately thereafter. If a majority of the votes cast are in the negative, the Act shall have no further effect. The judge of probate of the county shall certify the results of the election to the Secretary of State.

And the amendment was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Downing	Holman	Owen (Baldwin)
Adwell	Drake	House	Owens (W)
Agee	Edington	Jackson (F)	Owens (W.E.)
Bassett	Ellis	Jackson (T)	Pearson
Beck	Fine	Jones	Perloff
Berryman (K)	Foshee	Kilgore	Pruitt
Berryman (W)	Gafford	Lemley	Robertson
Blanton	Garrett	Lybrand	Sessions
Bowers	Gloor	Lyons	Shumate
Brannan	Graham	Malone	Slate
Brassell	Grainger	Manley	Smith
Brown	Grayson	Marr	Springer
Burgess	Hain	Mathews	Starnes
Burgreen	Hardin	Mays	Steagall
Cameron	Harper	McCorquodale	Stubbs
Cherner	Harris	McDonald	Tuck
Collier	Haygood	McElhaney	Turnham
Collins (C)	Headley	Meade	Weeks
Collins (W)	Higginbotham	Meeks	Williams
Cook (Jefferson)	Hill	Merrill	Wood
Crane	Hobbie	Money	Yeilding
Dobbs	Holladay	Nettles	Young
Doss			

—89

And the bill, H. 74, as thus amended:

H. 74. Relating to counties having a population of not less than 24,800, nor more than 25,400 according to the most recent federal decennial census; by amending Act #837, H. 1106, Regular Session of the Alabama Legislature 1969, to provide for the number of working days and compensation of the members of the County Board of Equalization in said counties; and providing that this Act shall become effective only if approved at a referendum held in the county affected.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 93; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Owens (W.E.)
Agee	Edington	Jackson (T)	Paulk
Bassett	Ellis	Jones	Pearson
Beck	Fine	Kilgore	Pennington
Berryman (K)	Foshee	Lemley	Perloff
Berryman (W)	Gafford	Lybrand	Pruitt
Blanton	Garrett	Lyons	Robertson
Bowers	Gloor	Malone	Sessions
Brannan	Graham	Manley	Shumate
Brassell	Grainger	Marr	Slate
Brown	Grayson	Mathews	Smith
Burgess	Hain	Mays	Snell
Burgreen	Hardin	McCorquodale	Springer
Cameron	Harper	McDonald	Starnes
Cherner	Harris	McElhaney	Steagall
Collier	Haygood	McLain	Tuck
Collins (W)	Headley	Meade	Turnham
Cook (Jefferson)	Higginbotham	Meeks	Waggoner
Crane	Hill	Merrill	Weeks
Crawford	Hobbie	Money	Williams
Culver	Holladay	Nettles	Wood
Dobbs	Holman	Owen (Baldwin)	Yeilding
Doss	House	Owens (W)	Young
Downing			—93

And the bill:

H. 75. Relating to counties having a population of not less than 24,800, nor more than 25,400 according to the most recent federal decennial census; by amending Act #515 H. 1028, Regular Session of Legislature 1969.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Bowers	Cherner	Culver
Agee	Brannan	Collier	Dobbs
Bassett	Brassell	Collins (C)	Doss
Beck	Brown	Cook (Jefferson)	Downing
Berryman (W)	Burgess	Crane	Drake
Blanton	Burgreen	Crawford	Edington

Ellis	Hill	Mays	Pruitt
Fine	Hobbie	McCorquodale	Robertson
Foshee	Holladay	McDonald	Shumate
Gafford	Holman	McElhaney	Slate
Garrett	House	McLain	Snell
Gloor	Jackson (F)	Meade	Springer
Graham	Jackson (T)	Merrill	Starnes
Grainger	Jones	Money	Steagall
Grayson	Kilgore	Nettles	Tuck
Hain	Lemley	Owen (Baldwin)	Turnham
Hardin	Lybrand	Owens (W)	Waggoner
Harper	Lyons	Owens (W.E.)	Weeks
Harris	Malone	Paulk	Williams
Haygood	Manley	Pearson	Wood
Headley	Marr	Pennington	Yeilding
Higginbotham	Mathews	Perloff	Young

—88

And the bill:

H. 78. To apply in all counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census, to increase the salary of the coroner in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Owen (Baldwin)
Agee	Drake	Jackson (T)	Owens (W)
Bassett	Edington	Jones	Owens (W.E.)
Beck	Ellis	Kilgore	Pearson
Berryman (W)	Fine	Lemley	Pennington
Blanton	Foshee	Lybrand	Perloff
Bowers	Gafford	Lyons	Pruitt
Brannan	Garrett	Malone	Robertson
Brassell	Graham	Manley	Sessions
Brown	Grainger	Marr	Slate
Burgess	Grayson	Mathews	Snell
Burgreen	Hain	Mays	Springer
Cameron	Hardin	McCorquodale	Starnes
Cherner	Harper	McDonald	Tuck
Collier	Harris	McElhaney	Turnham
Collins (C)	Haygood	McLain	Waggoner
Collins (W)	Headley	Meade	Weeks
Cook (Jefferson)	Higginbotham	Meeks	Williams
Crane	Hill	Merrill	Wood
Crawford	Hobbie	Money	Yeilding
Culver	Holman	Nettles	Young
Dobbs	House		

—86

And the bill:

H. 79. To provide for eligibility to hold public office in all counties having a population of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Messrs.:	Drake	Jackson (T)	Owens (W.E.)
Agee	Edington	Jones	Paulk
Bassett	Ellis	Kilgore	Pearson
Beck	Fine	Lemley	Pennington
Berryman (K)	Foshee	Lybrand	Perloff
Berryman (W)	Gafford	Lyons	Pruitt
Bowers	Garrett	Malone	Robertson
Brannan	Gloor	Manley	Sessions
Brassell	Graham	Marr	Shumate
Brown	Grainger	Mathews	Slate
Burgess	Grayson	Mays	Smith
Burgreen	Hain	McCorquodale	Snell
Cameron	Hardin	McDonald	Springer
Cherner	Harper	McElhaney	Starnes
Collier	Harris	McLain	Tuck
Collins (C)	Haygood	Meade	Turnham
Collins (W)	Higginbotham	Meeks	Waggoner
Cook (Jefferson)	Hill	Merrill	Weeks
Crane	Hobbie	Money	Williams
Culver	Holladay	Nettles	Wood
Dobbs	Holman	Owen (Baldwin)	Yeilding
Doss	House	Owens (W)	Young
Downing	Jackson (F)		—89

And the bill:

H. 80. Relating to all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; providing for the salary of the chief deputy sheriff in such counties.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Owens (W)
Agee	Edington	Jackson (T)	Owens (W.E.)
Bassett	Ellis	Jones	Paulk
Beck	Fine	Kilgore	Pearson
Berryman (K)	Foshee	Lemley	Pennington
Berryman (W)	Gafford	Lybrand	Perloff
Bowers	Garrett	Lyons	Pruitt
Brannan	Gloor	Malone	Robertson
Brassell	Graham	Manley	Shumate
Brown	Grainger	Marr	Slate
Burgess	Grayson	Mathews	Smith
Burgreen	Hain	Mays	Snell
Cameron	Hardin	McCorquodale	Springer
Cherner	Harper	McDonald	Starnes
Collier	Harris	McElhaney	Steagall
Collins (C)	Haygood	Meade	Tuck
Collins (W)	Headley	Meeks	Turnham
Cook (Jefferson)	Higginbotham	Merrill	Weeks
Crane	Hill	Money	Williams
Culver	Hobbie	Nettles	Wood
Dobbs	Holman	Neville	Yeilding
Doss	House	Owen (Baldwin)	Young
Downing			—89

And the bill:

H. 82. Relating to the twenty-sixth judicial circuit, authorizing the city commission of any city therein to establish a special fund and appropriate public funds thereto for the use of the district attorney for certain purposes.

Was taken up.

Messrs. Turnham, Brassell and Higginbotham offered the following substitute to the bill, H. 82:

A BILL
TO BE ENTITLED
AN ACT

Relating to the twenty-sixth judicial circuit, authorizing the city commission of any city therein to establish a special fund and appropriate public funds thereto for the use of the district attorney for certain purposes.

Be It Enacted by the Legislature of Alabama:

Section 1. The city commission of any city located within the twenty-sixth judicial circuit shall be authorized, upon a resolution duly adopted by a majority of the members of the commission and recorded in its minutes, to establish a special fund for the use of the district attorney of said circuit and to appropriate funds thereto in amounts of not more than two hundred dollars ($200) per month. Such fund shall be expended at the discretion of the district attorney for any expense he deems necessary and proper for the enforcement of the laws of this state and for combatting crime in general.

Section 2. The provisions of this Act are severable. If any part of the Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 3. All laws or parts of laws which conflict with this Act are repealed.

Section 4. This Act shall become effective immedoately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Burgreen	Edington	Harris
Agee	Cameron	Ellis	Haygood
Bassett	Cherner	Fine	Headley
Beck	Collier	Foshee	Higginbotham
Berryman (K)	Collins (W)	Gafford	Hill
Berryman (W)	Cook (Jefferson)	Garrett	Hobbie
Blanton	Crane	Graham	Holladay
Bowers	Culver	Grainger	Holman
Brannan	Dobbs	Grayson	House
Brassell	Doss	Hain	Jackson (F)
Brown	Downing	Hardin	Jackson (T)
Burgess	Drake	Harper	Jones

Kilgore	McDonald	Owens (W.E.)	Snell
Lemley	McElhaney	Paulk	Springer
Lybrand	Meade	Pearson	Starnes
Lyons	Meeks	Pennington	Tuck
Malone	Merrill	Perloff	Turnham
Manley	Money	Pruitt	Weeks
Marr	Nettles	Robertson	Williams
Mathews	Neville	Sessions	Wood
Mays	Owen (Baldwin)	Slate	Yeilding
McCorquodale	Owens (W)	Smith	Young

—88

And the bill, H. 82, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Owens (W)
Agee	Edington	Jackson (T)	Owens (W.E.)
Bassett	Ellis	Jones	Pearson
Beck	Fine	Kilgore	Pennington
Berryman (K)	Foshee	Lemley	Perloff
Berryman (W)	Gafford	Lybrand	Pruitt
Blanton	Garrett	Lyons	Robertson
Bowers	Gloor	Malone	Sessions
Brannan	Graham	Manley	Shumate
Brassell	Grainger	Marr	Slate
Brown	Grayson	Mathews	Smith
Burgess	Hain	Mays	Snell
Burgreen	Hardin	McCorquodale	Springer
Cameron	Harper	McDonald	Starnes
Cherner	Harris	McElhaney	Tuck
Collier	Haygood	Meade	Turnham
Collins (W)	Headley	Meeks	Waggoner
Cook (Coffee)	Higginbotham	Merrill	Weeks
Cook (Jefferson)	Hill	Money	Williams
Crane	Hobbie	Nettles	Wood
Culver	Holladay	Neville	Yeilding
Dobbs	Holman	Owen (Baldwin)	Young
Doss	House		

—90

And the bill:

H. 48. Applicable to those municipalities in the State having a population of not less than 200,000 nor more than 300,000 inhabitants according to the last or any subsequent Federal census; to authorize each such municipality to make appropriations to any State institution of higher learning for the payment of all or any part of the cost of any educational building or other educational facility of such institution; to authorize any such municipality to issue interest-bearing warrants for the purpose of paying all or any part of the cost of any educational building or other educational facility of a State institution of higher learning; to authorize the governing body of each such municipality to prescribe the terms and provisions of such warrants; and to provide that this act shall be cumulative and severable.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Edington	Jones	Paulk
Agee	Ellis	Lemley	Pearson
Bank	Fine	Lybrand	Pennington
Bassett	Foshee	Lyons	Perloff
Beck	Gafford	Malone	Pruitt
Berryman (K)	Garrett	Manley	Robertson
Berryman (W)	Graham	Marr	Sessions
Blanton	Grainger	Mathews	Shumate
Bowers	Grayson	Mays	Slate
Brannan	Hain	McCorquodale	Smith
Brassell	Hardin	McDonald	Snell
Burgess	Harper	McElhaney	Springer
Burgreen	Harris	Meade	Starnes
Cameron	Haygood	Meeks	Tuck
Cherner	Headley	Merrill	Turnham
Collier	Higginbotham	Money	Waggoner
Collins (C)	Hobbie	Nettles	Weeks
Collins (W)	Holladay	Neville	Williams
Crane	Holman	Owen (Baldwin)	Wood
Dobbs	House	Owens (W)	Yeilding
Doss	Jackson (F)	Owens (W.E.)	Young
Downing	Jackson (T)		—86

And the bill:

H. 47. Applicable to those counties in the State having a population of not less than 300,000 nor more than 600,000 inhabitants according to the last or any subsequent Federal census; to authorize each county to make appropriations to any State institution of higher learning for the payment of all or any part of the cost of any educational building or other educational facility of such institution; to authorize any such county to issue interest-bearing warrants for the purpose of paying all or any part of the cost of any educational building or other educational facility of a State institution of higher learning; to authorize the governing body of each such county to prescribe the terms and provisions of such warrants; and to provide that this act shall be cumulative and severable.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 86; Nays 0.

Yeas:

Mr. Speaker	Collins (C)	Hain	Lybrand
Agee	Collins (W)	Hardin	Lyons
Bassett	Cook (Coffee)	Harper	Malone
Beck	Culver	Harris	Manley
Berryman (K)	Dobbs	Haygood	Marr
Berryman (W)	Doss	Headley	Mathews
Blanton	Downing	Higginbotham	Mays
Bowers	Edington	Hill	McCorquodale
Brannan	Fine	Hobbie	McDonald
Brassell	Foshee	Holladay	McElhaney
Brown	Gafford	Holman	McLain
Burgess	Garrett	House	Meade
Burgreen	Gloor	Jackson (F)	Meeks
Cameron	Graham	Jackson (T)	Merrill
Cherner	Grainger	Jones	Money
Collier	Grayson	Lemley	Nettles

Owen (Baldwin)	Pruitt	Snell	Turnham
Owens (W)	Robertson	Springer	Weeks
Owens (W.E.)	Sessions	Starnes	Wood
Pearson	Shumate	Steagall	Yeilding
Pennington	Slate	Tuck	Young
Perloff	Smith		—86

UNANIMOUS CONSENT GRANTED

At the request of Mr. Burgess, unanimous consent was granted that the Journal of the House show he would have voted Yea on the bill, H. 5, had he been in the chambers.

And the bill:

H. 57. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 3, Township 16 North, Range 18 East, Montgomery County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Years 87; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Owens (W.E.)
Agee	Edington	Jones	Paulk
Bassett	Ellis	Kilgore	Pearson
Beck	Fine	Lemley	Pennington
Berryman (W)	Foshee	Lybrand	Perloff
Blanton	Gafford	Lyons	Pruitt
Bowers	Garrett	Malone	Robertson
Brannan	Gloor	Manley	Shumate
Brassell	Graham	Marr	Slate
Brown	Grainger	Mathews	Smith
Burgess	Grayson	Mays	Snell
Burgreen	Hain	McCorquodale	Springer
Cameron	Hardin	McDonald	Starnes
Cherner	Harper	McElhaney	Steagall
Collier	Harris	McLain	Tuck
Collins (C)	Headley	Meade	Turnham
Collins (W)	Higginbotham	Meeks	Weeks
Cook (Coffee)	Hobbie	Merrill	Williams
Crane	Holladay	Money	Wood
Crawford	Holman	Nettles	Yeilding
Dobbs	House	Owen (Baldwin)	Young
Doss	Jackson (F)	Owens (W)	—87

And the bill:

H. 58. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 6 and 7, Township 16 North, Range 19 East, and Sections 1 and 12, Township 16 North, Range 18 East, Montgomery County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 83; Nays 0.

Yeas:

Mr. Speaker	Doss	House	Owens (W)
Adwell	Downing	Jackson (F)	Owens (W.E.)
Bassett	Edington	Jackson (T)	Pearson
Beck	Ellis	Jones	Pennington
Berryman (W)	Fine	Kilgore	Perloff
Blanton	Foshee	Lemley	Pruitt
Bowers	Gafford	Lybrand	Robertson
Brannan	Garrett	Lyons	Sessions
Brassell	Gloor	Malone	Shumate
Brown	Graham	Manley	Slate
Burgess	Grainger	Marr	Snell
Burgreen	Grayson	Mathews	Springer
Cameron	Hain	Mays	Starnes
Cherner	Hardin	McCorquodale	Steagall
Collier	Harper	McDonald	Tuck
Collins (C)	Harris	McLain	Turnham
Collins (W)	Headley	Meade	Weeks
Cook (Coffee)	Higginbotham	Meeks	Williams
Crane	Hobbie	Merrill	Yeilding
Crawford	Holladay	Money	Young
Dobbs	Holman	Owen (Baldwin)	—83

And the bill:

H. 59. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 29 and 30, Township 17 North, Range 18 East, Montgomery County, Alabama.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 82; Nays 0.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Owens (W.E.)
Agee	Edington	Jones	Pennington
Bassett	Ellis	Kilgore	Perloff
Beck	Foshee	Lemley	Pruitt
Berryman (W)	Gafford	Lybrand	Robertson
Blanton	Garrett	Lyons	Sessions
Bowers	Gloor	Malone	Shumate
Brannan	Graham	Manley	Slate
Brassell	Grainger	Marr	Smith
Brown	Grayson	Mathews	Snell
Burgess	Hain	Mays	Springer
Burgreen	Hardin	McCorquodale	Starnes
Cameron	Harper	McElhaney	Steagall
Cherner	Harris	McLain	Tuck
Collier	Headley	Meade	Turnham
Collins (C)	Higginbotham	Meeks	Weeks
Collins (W)	Hobbie	Merrill	Williams
Cook (Coffee)	Holladay	Money	Wood
Crane	Holman	Owen (Baldwin)	Yeilding
Dobbs	House	Owens (W)	Young
Doss	Jackson (F)		—82

And the bill:

H. 1. To prevent discrimination on account of race, color, creed or national origin in connection with the education of the children of the State of Alabama.

Was taken up.

Mr. Graham offered the following amendment to the bill, H. 1:

Strike out the period at the end of the title of the bill and insert in lieu thereof a semicolon, then add thereto the following: and to provide that this Act shall become effective only if approved at a referendum herein provided for.

Also, strike out Section 5 of the bill in its entirety and insert in lieu thereof the following:

Section 5. An election is hereby ordered and shall be held on the same day of the primary election in 1970 in the several counties of the State of Alabama, for the purpose of securing the views of the qualified electors of the State of Alabama on the question as to whether or not this Act shall be effective.

Section 6. In said election the votes cast shall be canvassed, tabulated, returns made and results declared in the same manner as in general elections. The officers to hold said election shall be the same and shall be appointed in the same manner and by the same officials and shall be paid the same and in the same manner as is now provided by the election laws of the state for the appointment of officers to hold primary elections in the State. All qualified voters of the State may vote at said election and none others. The election hereby ordered shall be held and conducted in all things in accordance with this act and with the laws of Alabama governing general elections.

Section 7. Notice of the election hereby ordered shall be given by a proclamation of the Governor which shall be published in one newspaper once a week in each county of the state for at least three successive weeks next preceding the day hereby appointed for such election.

Section 8. The ballots shall be prepared and printed in all respects as ballots are prepared and printed for general elections in the counties of the State and shall be paid for in like manner as ballots for such general elections are now paid; and on the official ballot prepared for such election there shall be printed the following question: Shall the provisions of Act No. _____, H. 1 of the Special Session of 1970 become effective in this State? Yes _____ No _____.

Section 9. If the majority of the votes cast are "Yes," then this Act shall become effective immediately upon the Governor's proclamation relative to the result of the election; and if the majority of the votes cast are "No," then this Act shall be of no further force or effect.

Section 10. The result of the election shall be made known by proclamation of the Governor.

On motion of Mr. Merrill, the amendment offered by Mr. Graham was laid upon the table.

Yeas 91; Nay 1.

Yeas:

Mr. Speaker	Dobbs	Jones	Pearson
Adwell	Doss	Lemley	Pennington
Agee	Downing	Lybrand	Perloff
Bank	Drake	Lyons	Pruitt
Bassett	Edington	Malone	Robertson
Beck	Ellis	Manley	Shumate
Berryman (K)	Foshee	Marr	Slate
Berryman (W)	Gafford	Mathews	Smith
Blanton	Garrett	Mays	Snell
Bowers	Gloor	McCorquodale	Springer
Brannan	Grainger	McDonald	Starnes
Brassell	Grayson	McElhaney	Steagall
Brown	Hain	McLain	Stembridge
Burgess	Hardin	Meade	Tuck
Burgreen	Harper	Meeks	Turnham
Cherner	Harris	Merrill	Waggoner
Collier	Haygood	Money	Watkins
Collins (C)	Headley	Nettles	Weeks
Collins (W)	Higginbotham	Neville	Williams
Cook (Coffee)	Hill	Owen (Baldwin)	Wood
Cook (Jefferson)	Holladay	Owens (W)	Yeilding
Crane	House	Owens (W.E.)	Young
Crawford	Jackson (F)	Paulk	—91

Nay: Mr. Graham. —1

UNANIMOUS CONSENT GRANTED TO CO-SPONSOR

At the request of Messrs. Waggoner, Jackson (T) and Kilgore, unanimous consent was granted that their names be added as co-sponsors to the bill, H. 1.

And the bill, H. 1, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 103; Nays 0.

Yeas:

Mr. Speaker	Collins (W)	Hain	Manley
Adwell	Cook (Coffee)	Hardin	Marr
Agee	Cook (Jefferson)	Harper	Mathews
Bank	Crane	Harris	Mays
Bassett	Crawford	Haygood	McCorquodale
Beck	Culver	Headley	McDonald
Berryman (K)	Dobbs	Higginbotham	McElhaney
Berryman (W)	Doss	Hill	McLain
Blanton	Downing	Hobbie	Meade
Bolton	Drake	Holladay	Meeks
Bowers	Edington	Holman	Melton
Brannan	Ellis	House	Merrill
Brassell	Fine	Jackson (F)	Money
Brown	Foshee	Jackson (T)	Nettles
Burgess	Gafford	Jones	Neville
Burgreen	Garrett	Kilgore	Owen (Baldwin)
Cameron	Gloor	Lemley	Owens (W)
Cherner	Graham	Lybrand	Owens (W.E.)
Collier	Grainger	Lyons	Paulk
Collins (C)	Grayson	Malone	Pearson

Pennington	Slate	Stembridge	Weeks	
Perloff	Smith	Stubbs	Williams	
Pruitt	Snell	Tuck	Wood	
Robertson	Springer	Turnham	Yeilding	
Sessions	Starnes	Waggoner	Young	
Shumate	Steagall	Watkins		—103

MOTION TO ADJOURN LOST

The motion of Mr. McElhaney that the House adjourn until 11 o'clock A. M. Thursday, February 26, 1970, was lost.

RECESS

The Speaker declared the House in recess for five minutes.

HOUSE RECONVENES

After five minutes, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and passed the following Senate Bill and ordered same sent forthwith to the House without engrossment:

By Messrs. Clark, Givhan, Stone, Gilmore, O'Bannon, Engel, McCarley, Leonard, Giles, Pierce, Bailes, Branyon, Oden, Torbert, Morrow, Radney, Nabors, Childs, Carr, Folsom, Lolley, Adams, Cooper, Hawkins, Jackson, Vacca, Pelham, Skidmore, Albea, Lindsey, Harris and Turner.

S. 1. To prevent discrimination on account of race, color, creed or national origin in connection with the education of the children of the State of Alabama.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

The Senate Bill, the title of which is set out in the above and foregoing Message from the Senate, was read one time and referred to appropriate Standing Committee as follows:

S. 1. Judiciary.

RESOLUTION

The following resolution was introduced:

By Messrs. Doss and Slate:

H. J. R. 12. WHEREAS William Thomas Giles, a prominent and distinguished citizen of Decatur, Alabama, who was born in 1883, passed away on February 11, 1970; and

WHEREAS Mr. Giles operated a plumbing and elestrical business in Decatur for many years and was one of that city's outstanding business and civic leaders, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply mourn the passing

of William Thomas Giles and express our most heartfelt condolences to his family.

BE IT FURTHER RESOLVED, That copies of this resolution be sent to the widow, Mrs. Emma Grimwood Giles, and to Mrs. Harry Reitmeyer, Mrs. John McBride, Mrs. Emily Kotcher, Mr. Elbert Franklin Giles, and Mr. John Giles.

On motion of Mr. Doss, the rules were suspended and H. J. R. 12 was adopted.

UNANIMOUS CONSENT GRANTED TO CO-SPONSOR

At the request of Mr. Grainger, unanimous consent was granted for him to be added as a co-sponsor on the bill, H. 81.

BILLS ON THIRD READING RESUMED

And the bill:

H. 6(with substitute). To make an appropriation for the construction of a high school at Weaver, Calhoun County, Alabama.

Was taken up.

The question was on the adoption of the substitute reported by the Standing Committee on Judiciary, said Committee substitute being as follows:

A BILL
TO BE ENTITLED
AN ACT

To make a conditional appropriation from the Alabama Special Educational Trust Fund for the construction of a high school at Weaver, Calhoun County, Alabama.

Be It Enacted by the Legislature of Alabama:

Section 1. There is hereby appropriated the sum of Two Hundred Fifty Thousand Dollars ($250,000) out of funds in the Alabama Special Educational Trust Fund for the construction of a high school at Weaver, Calhoun County, Alabama. This appropriation is conditional upon the condition of the Alabama Special Educational Trust Fund and with the approval of the Governor.

Section 2. This act shall become effective immediately upon its passage and approval by the Governor or upon its otherwise becoming a law.

And the substitute was adopted.

Yeas 46; Nays 18.

Yeas:

Mr. Speaker	Doss	Jones	Owens (W.E.)
Agee	Downing	Lybrand	Pearson
Bank	Drake	Marr	Pennington
Bassett	Edington	Mathews	Robertson
Beck	Ellis	McElhaney	Shumate
Berryman (W)	Grainger	McLain	Slate
Blanton	Grayson	Meade	Smith
Bolton	Hain	Meeks	Springer
Brassell	Hardin	Merrill	Starnes
Burgess	Headley	Money	Turnham
Culver	Hill	Owens (W)	Williams
Dobbs	Holladay		

—46

Nays:

Messrs.:	Graham	Lyons	Owen (Baldwin)	
Brown	Harris	Malone	Sessions	
Gafford	Higginbotham	Mays	Stubbs	
Garrett	Hobbie	McCorquodale	Watkins	
Gloor	Jackson (T)	Nettles		—18

MOTION TO CARRY-OVER TEN MINUTES

On motion of Mr. Bowers, the bill, H. 6, was carried over for ten minutes.

Yeas 66; Nays 16.

Yeas:

Messrs.:	Crawford	Jackson (T)	Pennington	
Adwell	Culver	Kilgore	Perloff	
Agee	Dobbs	Lemley	Robertson	
Bank	Downing	Lybrand	Sessions	
Bassett	Ellis	Lyons	Shumate	
Berryman (K)	Fine	Malone	Slate	
Berryman (W)	Foshee	Marr	Snell	
Blanton	Gafford	McCorquodale	Springer	
Bowers	Garrett	McDonald	Starnes	
Brannan	Gloor	McElhaney	Stubbs	
Brassell	Graham	Meeks	Turnham	
Brown	Grayson	Merrill	Waggoner	
Burgess	Hardin	Neville	Watkins	
Burgreen	Headley	Owen (Baldwin)	Weeks	
Cherner	Holman	Owens (W)	Yeilding	
Cook (Jefferson)	House	Owens (W.E.)	Young	
Crane	Jackson (F)	Pearson		—66

Nays:

Mr. Speaker	Collins(C)	Harris	Jones	
Beck	Drake	Haygood	McLain	
Bolton	Edington	Higginbotham	Meade	
Cameron	Grainger	Hill	Nettles	
				—16

And the bill:

H. 7. To amend Section 37 of Title 52 of the Code of Alabama of 1940, as heretofore amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 74; Nays 0.

Yeas:

Mr. Speaker	Burgess	Downing	Haygood
Agee	Burgreen	Drake	Headley
Bank	Cherner	Edington	Higginbotham
Beck	Collier	Ellis	Hill
Berryman (K)	Collins(C)	Fine	Holladay
Berryman (W)	Collins (W)	Graham	Jones
Blanton	Crane	Grainger	Lemley
Bolton	Crawford	Grayson	Lybrand
Brannan	Culver	Hain	Lyons
Brassell	Dobbs	Harris	Malone

Manley	Money	Robertson	Stubbs
Marr	Nettles	Sessions	Tuck
Mathews	Neville	Shumate	Turnham
Mays	Owen (Baldwin)	Slate	Watkins
McCorquodale	Owens (W.E.)	Smith	Weeks
McDonald	Pearson	Springer	Williams
McLain	Pennington	Starnes	Yeilding
Meade	Perloff	Steagall	Young
Merrill	Pruitt		

—74

And the bill:

H. 8. To permit persons, firms, corporations not organized for profit, the state board of education and the trustees of all state institutions where education is a part of the program of the institution, partnerships and associations when borrowing money in amounts of not less than $100,000 to pay such rates of interest not to exceed the rate of fifteen percent per annum on the loan or forbearance of maney as such borrower may agree to pay without regard to any provision of law limiting interest rates, and denying to such borrower and to others who may become liable thereon the right to claim or raise the defense of usury.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 90; Nays 0.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Pearson
Adwell	Downing	Jackson (T)	Pennington
Agee	Drake	Jones	Perloff
Bank	Edington	Lemley	Pruitt
Bassett	Ellis	Lybrand	Robertson
Beck	Fine	Lyons	Sessions
Berryman (K)	Foshee	Malone	Shumate
Berryman (W)	Gafford	Manley	Slate
Blanton	Garrett	Marr	Smith
Bolton	Gloor	Mays	Springer
Brannan	Graham	McCorquodale	Starnes
Brassell	Grainger	McDonald	Steagall
Burgreen	Grayson	McElhaney	Stembridge
Cameron	Hain	McLain	Stubbs
Cherner	Hardin	Meade	Tuck
Collier	Harris	Merrill	Turnham
Collins(C)	Haygood	Money	Watkins
Collins (W)	Headley	Nettles	Weeks
Cook (Jefferson)	Higginbotham	Neville	Williams
Crane	Hill	Owen (Baldwin)	Wood
Crawford	Hobbie	Owens (W)	Yeilding
Culver	Holladay	Owens (W.E.)	Young
Dobbs	House		

—90

And the bill:

H. 9. To appropriate $120,000.00 to the State Board of Education for payment of prior obligations of the State of Alabama for Regional Education for fiscal years ending September 30, 1968 and September 30, 1969; and to provide that the said appropriation shall be paid from amounts heretofore appropriated to the State Board of Education for Regional Education for fiscal year ending September 30, 1970 by Act No. 91, Special Session 1969, approved May 14, 1969.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 56; Nays 14.

Yeas:

Mr. Speaker	Doss	Lybrand	Pennington
Bank	Downing	Marr	Perloff
Beck	Drake	Mathews	Robertson
Berryman (W)	Fine	Mays	Sessions
Blanton	Grainger	McDonald	Shumate
Bolton	Grayson	McElhaney	Slate
Bowers	Hain	McLain	Smith
Brannan	Harris	Meade	Springer
Brassell	Haygood	Merrill	Starnes
Burgess	Higginbotham	Money	Steagall
Burgreen	Hill	Neville	Stembridge
Crane	Holladay	Owen (Baldwin)	Turnham
Culver	Jackson (F)	Paulk	Williams
Dobbs	Jones	Pearson	Wood

—56

Nays:

Messrs.:	Garrett	Jackson (T)	McCorquodale
Cameron	Gloor	Kilgore	Nettles
Crawford	Graham	Lyons	Stubbs
Foshee	Hobbie	Malone	

—14

And the bill:

H. 13. Relating to taxation, making further exemptions from State sales and use taxes.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 72; Nays 10.

Yeas:

Mr. Speaker	Downing	Jones	Pearson
Agee	Drake	Lemley	Pennington
Bank	Edington	Lybrand	Perloff
Bassett	Ellis	Malone	Pruitt
Beck	Fine	Manley	Robertson
Berryman (W)	Garrett	Marr	Shumate
Bolton	Grainger	Mathews	Slate
Brannan	Grayson	Mays	Smith
Brassell	Hain	McDonald	Springer
Brown	Hardin	McElhaney	Starnes
Burgess	Harris	McLain	Steagall
Burgreen	Haygood	Meade	Stembridge
Cameron	Headley	Merrill	Stubbs
Collier	Higginbotham	Money	Tuck
Collins (W)	Hill	Neville	Watkins
Crawford	Hobbie	Owen (Baldwin)	Weeks
Dobbs	Holladay	Owens (W)	Williams
Doss	House	Owens (W.E.)	Young

—72

Nays:

Messrs.:	Cherner	Graham	McCorquodale
Berryman (K)	Foshee	Jackson (F)	Nettles
Blanton	Gafford	Lyons	

—10

And the bill:

H. 15. Relating to taxation: To exempt drugs and medications, vitamins, minerals, and other nutrients used in the production of livestock and poultry from the State sales and use tax.

Was taken up.

Mr. Owens (W) offered the following amendment to the bill, H. 15:

In Section 1 of the bill insert the word fish before the words livestock and poultry in lines four, eleven, fifteen and seventeen.

And the amendment was adopted.

Yeas 78; Nays 2.

Yeas:

Mr. Speaker	Downing	Lyons	Perloff
Adwell	Drake	Malone	Pruitt
Agee	Edington	Manley	Robertson
Bank	Fine	Marr	Sessions
Bassett	Gafford	Mathews	Shumate
Beck	Garrett	Mays	Slate
Berryman (W)	Grainger	McCorquodale	Smith
Bolton	Grayson	McDonald	Snell
Brannan	Hain	McElhaney	Springer
Brassell	Hardin	McLain	Starnes
Brown	Harris	Meade	Steagall
Burgess	Haygood	Merrill	Stembridge
Burgreen	Headley	Neville	Stubbs
Cameron	Higginbotham	Owen (Baldwin)	Tuck
Collier	Hill	Owens (W)	Watkins
Collins (W)	Hobbie	Owens (W.E.)	Weeks
Crawford	Holladay	Paulk	Williams
Culver	Jones	Pearson	Wood
Dobbs	Lemley	Pennington	Young
Doss	Lybrand		—78

Nays: Messrs. Blanton and Graham. —2

And the bill, H. 15, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 70; Nays 10.

Yeas:

Mr. Speaker	Dobbs	Jones	Pearson
Agee	Doss	Lemley	Pennington
Bank	Downing	Lybrand	Pruitt
Bassett	Drake	Malone	Robertson
Beck	Ellis	Manley	Sessions
Berryman (W)	Fine	Mathews	Shumate
Bolton	Garrett	Mays	Slate
Bowers	Grainger	McDonald	Smith
Brannan	Grayson	McElhaney	Springer
Brassell	Hain	McLain	Starnes
Brown	Hardin	Merrill	Steagall
Burgess	Harris	Meeks	Stembridge
Burgreen	Haygood	Neville	Stubbs
Cameron	Headley	Owen (Baldwin)	Tuck
Collier	Higginbotham	Owens (W)	Weeks
Collins (W)	Hill	Owens (W.E.)	Williams
Crawford	Hobbie	Paulk	Young
Culver	Holladay		—70

Nays:

Messrs.:	Cherner	Kilgore	Nettles
Berryman (K)	Gafford	Lyons	Snell
Blanton	Graham	McCorquodale	—10

And the bill:

H. 31. To amend Code of Alabama 1940, Title 13, Section 363, relating to the jurisdiction of juvenile offenders so as to raise the maximum age at which certain offenders may be transferred to the jurisdiction of the juvenile court.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 61; Nays 11.

Yeas:

Mr. Speaker	Downing	Lemley	Perloff
Agee	Drake	Malone	Pruitt
Bank	Edington	Manley	Robertson
Bassett	Fine	Mays	Shumate
Beck	Graham	McDonald	Slate
Bolton	Grainger	McLain	Smith
Bowers	Grayson	Meade	Springer
Brannan	Harris	Merrill	Starnes
Brassell	Haygood	Money	Stembridge
Brown	Headley	Nettles	Tuck
Burgreen	Hill	Neville	Turnham
Collins (C)	Hobbie	Owen (Baldwin)	Williams
Crawford	Holladay	Owens (W.E.)	Wood
Culver	Holman	Paulk	Yeilding
Dobbs	Jones	Pearson	Young
Doss			—61

Nays:

Messrs.:	Foshee	Lybrand	McCorquodale
Blanton	Gafford	Lyons	Owens (W)
Burgess	Garrett	Marr	Pennington
			—11

And the bill:

H. 32. To authorize the awarding of reasonable attorney's fees in domestic relations cases where a contempt of court citation is made.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 70; Nays 2.

Yeas:

Mr. Speaker	Burgess	Graham	Holman
Agee	Burgreen	Grainger	Jackson (F)
Bank	Culver	Grayson	Jackson (T)
Bassett	Dobbs	Hain	Jones
Beck	Doss	Hardin	Lemley
Berryman (W)	Downing	Harris	Lybrand
Blanton	Drake	Haygood	Malone
Bolton	Edington	Headley	Marr
Brannan	Fine	Hill	Mays
Brassell	Foshee	Hobbie	McDonald
Brown	Garrett	Holladay	McLain

Meade	Owens (W)	Shumate	Stembridge	
Meeks	Owens (W.E.)	Slate	Turnham	
Merrill	Paulk	Smith	Williams	
Money	Pearson	Springer	Wood	
Nettles	Pennington	Starnes	Yeilding	
Neville	Robertson	Steagall	Young	
Owen (Baldwin)	Sessions			—70

Nays: Messrs. Higginbotham and Perloff. —2

And the bill:

H. 38. To permit persons, corporations not organized for profit, general partnerships, limited partnerships, and associations, whether organized for profit or non-profit, to pay a rate or rates of interest on the loan or forbearance of money having an original principal balance of not less than One Hundred Thousand Dollars ($100,000.00) as that person, corporation not organized for profit, general partnership or limited partnership, or association, whether organized for profit or non-profit, may determine, without regard to any provision of law prescribing or limiting interest rates, and denying to such persons, corporations not organized for profit, general partnerships, limited partnerships, and associations, whether organized for profit or non-profit, and to certain others who may become liable on such a loan or forbearance the right to claim or raise the defense of usury.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 53; Nays 4.

Yeas:

Mr. Speaker	Gafford	Marr	Pearson	
Agee	Grainger	Mays	Pennington	
Bank	Harris	McDonald	Pruitt	
Beck	Haygood	McElhaney	Shumate	
Berryman (W)	Headley	McLain	Smith	
Brannan	Higginbotham	Meade	Springer	
Brassell	Hill	Meeks	Starnes	
Brown	Holladay	Merrill	Steagall	
Burgreen	Jones	Money	Stembridge	
Culver	Kilgore	Nettles	Tuck	
Downing	Lemley	Owen (Baldwin)	Williams	
Edington	Lybrand	Owens (W)	Yeilding	
Ellis	Manley	Paulk	Young	
Fine				—53

Nays:

Messrs.:				
Collins (C)	Doss	Grayson	Slate	
				—4

CONSIDERATION OF H. 6 RESUMED

And the bill, H. 6, was brought up again for consideration.

Messrs. Meeks and Bowers offered the following amendment to the bill, H. 6:

Amend House Bill 6 by adding the following to the first sentence, Section 1:

2nd $250,000 for the construction of additional classrooms for schools in the Jefferson County School system, Jefferson County, Alabama.

And the amendment was adopted.

Yeas 51; Nays 16.

Yeas:

Mr. Speaker	Downing	Jackson (T)	Pearson
Adwell	Ellis	Jones	Pennington
Bank	Fine	Kilgore	Perloff
Beck	Foshee	Lybrand	Robertson
Berryman (W)	Gafford	Marr	Sessions
Bowers	Gloor	Mays	Slate
Brannan	Grayson	McDonald	Smith
Brassell	Harris	McElhaney	Starnes
Burgess	Hobbie	Meade	Stembridge
Cherner	Holladay	Meeks	Waggoner
Cook (Jefferson)	Holman	Merrill	Weeks
Dobbs	House	Money	Yeilding
Doss	Jackson (F)	Paulk	—51

Nays:

Messrs.:	Cameron	Graham	Lemley
Bassett	Collins (C)	Hain	Lyons
Berryman (K)	Crawford	Hardin	McCorquodale
Blanton	Garrett	Higginbotham	Nettles
Burgreen			—16

And the bill, H. 6, as thus amended, was read a third time at length and lost.

Yeas 49; Nays 34.

Yeas:

Mr. Speaker	Dobbs	House	Owens (W.E.)
Adwell	Doss	Jones	Paulk
Beck	Edington	Kilgore	Pearson
Berryman (W)	Ellis	Lybrand	Perloff
Bolton	Fine	Marr	Robertson
Bowers	Gafford	Mathews	Sessions
Brannan	Grainger	Mays	Shumate
Brassell	Hain	McDonald	Slate
Burgess	Haygood	Meade	Smith
Cherner	Headley	Meeks	Starnes
Cook (Jefferson)	Hill	Merrill	Waggoner
Crane	Holman	Money	Yeilding
Culver			—49

Nays:

Messrs.:	Crawford	Higginbotham	Neville
Agee	Downing	Hobbie	Owen (Baldwin)
Bassett	Foshee	Jackson (F)	Pennington
Berryman (K)	Garrett	Jackson (T)	Snell
Blanton	Gloor	Lemley	Springer
Brown	Graham	Lyons	Stembridge
Burgreen	Grayson	Malone	Turnham
Cameron	Hardin	McCorquodale	Wood
Collins (C)	Harris	Nettles	—34

MOTION TO ADJOURN LOST

The motion of Mr. Lyons that the House adjourn until 12 o'clock Noon Thursday, February 25, 1970, was lost.

Yeas 20; Nays 62.

Yeas:

Messrs.:	Graham	McCorquodale	Owens (W.E.)
Burgreen	Harris	McElhaney	Snell
Collier	Kilgore	Money	Weeks
Downing	Lyons	Neville	Wood
Garrett	Malone	Owen (Baldwin)	Yeilding
Gloor			—20

Nays:

Mr. Speaker	Culver	Jackson (F)	Pruitt
Adwell	Doss	Jones	Robertson
Agee	Edington	Lemley	Shumate
Bassett	Ellis	Lybrand	Slate
Berryman (W)	Fine	Manley	Smith
Blanton	Foshee	Marr	Springer
Bolton	Grainger	Mays	Starnes
Brannan	Grayson	McDonald	Stembridge
Brassell	Hain	McLain	Stubbs
Brown	Hardin	Meeks	Tuck
Burgess	Haygood	Merrill	Turnham
Cameron	Headley	Nettles	Waggoner
Collins (C)	Higginbotham	Paulk	Watkins
Collins (W)	Hill	Pennington	Williams
Crane	Holman	Perloff	Young
Crawford	House		—62

BILLS ON THIRD READING RESUMED

And the bill:

H. 39. To regulate extension of credit through open end credit plans, whether secured or unsecured; to provide the maximum rate of the finance charge in connection therewith; to regulate such transactions; to prescribe penalties for violation of this Act; to provide exemptions from the provisions of this Act; to provide that any section or provision of this Act being held unconstitutional shall not affect the validity of any other section or provision; and to prescribe the effective date thereof.

Was taken up.

Mr. Neville offered the following amendment to the bill, H. 39:

Amend Section 1 by adding at the end of the sentence before the period the words "at the end of the period."

And the amendment was adopted.

Yeas 89; Nays 0.

Yeas:

Mr. Speaker	Brassell	Dobbs	Gloor
Adwell	Brown	Doss	Graham
Agee	Burgess	Downing	Grainger
Bank	Burgreen	Drake	Grayson
Bassett	Cameron	Edington	Hain
Beck	Collins (C)	Ellis	Hardin
Berryman (W)	Cook (Jefferson)	Fine	Harris
Blanton	Crane	Foshee	Haygood
Bolton	Crawford	Gafford	Headley
Brannan	Culver	Garrett	Higginbotham

Hill	Marr	Neville	Slate
Hobbie	Mathews	Owen (Baldwin)	Smith
Holladay	Mays	Owens (W)	Starnes
House	McCorquodale	Owens (W.E.)	Steagall
Jackson (F)	McDonald	Paulk	Stembridge
Jackson (T)	McElhaney	Pearson	Stubbs
Jones	McLain	Pennington	Tuck
Kilgore	Meade	Perloff	Watkins
Lemley	Meeks	Pruitt	Weeks
Lybrand	Merrill	Robertson	Williams
Lyons	Money	Sessions	Wood
Malone	Nettles	Shumate	Young
Manley			

—89

MOTION TO POSTPONE

On motion of Mr. Cherner, the bill, H. 39, as amended, was postponed until the fifth legislative day.

And the bill:

H. 41. To amend Title 25, Section 19, Code of Alabama 1940, as amended.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 87; Nay 1.

Yeas:

Mr. Speaker	Dobbs	Lemley	Pennington
Adwell	Doss	Lyons	Perloff
Agee	Downing	Malone	Pruitt
Bank	Drake	Manley	Robertson
Bassett	Edington	Marr	Shumate
Beck	Ellis	Mathews	Slate
Berryman (W)	Fine	Mays	Smith
Blanton	Foshee	McCorquodale	Springer
Bolton	Gloor	McDonald	Starnes
Bowers	Grainger	McElhaney	Steagall
Brannan	Grayson	McLain	Stembridge
Brassell	Hardin	Meade	Stubbs
Brown	Harris	Meeks	Tuck
Cameron	Haygood	Merrill	Turnham
Cherner	Headley	Money	Waggoner
Collier	Hill	Nettles	Watkins
Collins (C)	Holladay	Neville	Weeks
Collins (W)	Holman	Owen (Baldwin)	Williams
Cook (Jefferson)	House	Owens (W)	Wood
Crane	Jackson (F)	Owens (W.E.)	Yeilding
Crawford	Jones	Paulk	Young
Culver	Kilgore	Pearson	

—87

Nay: Mr. Graham. —1

And the bill:

H. 42. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 82; Nays 3.

Yeas:

Mr. Speaker	Dobbs	House	Pearson
Adwell	Doss	Jackson (F)	Pennington
Agee	Downing	Jackson (T)	Perloff
Bank	Drake	Jones	Pruitt
Bassett	Edington	Kilgore	Robertson
Beck	Fine	Lemley	Sessions
Berryman (W)	Foshee	Manley	Shumate
Blanton	Gafford	Mathews	Slate
Bowers	Gloor	Mays	Springer
Brannan	Graham	McDonald	Starnes
Brassell	Grainger	McElhaney	Steagall
Brown	Grayson	Meade	Stembridge
Burgess	Hain	Meeks	Tuck
Cameron	Hardin	Merrill	Turnham
Cherner	Harris	Money	Watkins
Collier	Haygood	Neville	Weeks
Collins (W)	Headley	Owen (Baldwin)	Williams
Cook (Jefferson)	Higginbotham	Owens (W)	Wood
Crane	Hill	Owens (W.E.)	Yeilding
Crawford	Hobbie	Paulk	Young
Culver	Holman		—82

Nays: Messrs. Lyons, Malone and Nettles. —3

And the bill:

H. 44. To provide for the incorporation of Districts, as public corporations, for the purpose of furnishing water service, sanitary sewer service, and fire protection service, or any thereof, upon the filing of an application with, and the authorization of such incorporation by, the governing body of each county and municipality within which any such District is to be authorized to furnish any of such services; to provide that the service area specified in the original certificate of incorporation of any such District shall lie wholly within the boundaries of the county or counties by the governing bodies of which the incorporation of such District was authorized and that no part of said service area shall lie within the boundaries of any municipality by the governing body of which such incorporation was not authorized; to provide for the amendment of the certificate of incorporation of any such District for the purpose of extending the service area, and for other purposes, at any time and from time to time, upon the filing of applications with, and the authorization of each such amendment by, the governing bodies of each county and municipality in which any part of the then existing or proposed service area of such District lies; to provide for the election and compensation of directors of any such District; to provide for the powers, authorities and duties of any such District and its board of directors; to authorize any such District to acquire, construct, operate, improve and finance one or more water-works plants, water distribution systems, sanitary sewer systems, or fire protection facilities, or any combination of any thereof; to confer on any such District the power of eminent domain; to authorize any such District to employ officers, employees and agents without regard to any provisions of Act No. 217 (1967 Special Session), as amended, that might otherwise be applicable; to make provisions respecting the establishment, revision, and collection of charges for water service, sewer service and fire protection service, or any thereof, rendered by it; to provide for the issuance by any such District for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any one or more of the systems and facilities, or any thereof, of such Dis-

trict, without regard to the system or systems or facilities with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable instruments; to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such District for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the system or facilities out of the revenues from which such securities are payable, and to provide that any revenue securities of the District may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by a District of obligations respecting systems and facilities, or parts thereof, acquired by the District; to provide for the use of the proceeds of any revenue securities issued by a District; to provide for the refunding, by the issuance of revenue securities of a District, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such District pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration; transfer any water system, sewer system, fire protection facility, or other property to any such District; to provide that the rendition by any such District of fire protection service is a governmental function and to exempt such District from all tort liability in connection with fire protection service or facilities; to exempt the property and income of any such District, and all securities issued by any such District and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such District is a party from all taxation in the state, to exempt every such District from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such District from payment of certain charges to Judges of Probate; to provide that each such District shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by any such District; and to provide for the dissolution of any such District and the disposition of its property.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 91; Nays 0.

Yeas:

Mr. Speaker	Cherner	Garrett	Holman
Adwell	Collier	Gloor	House
Agee	Collins (W)	Graham	Jackson (F)
Bassett	Cook (Jefferson)	Grainger	Jackson (T)
Beck	Crane	Grayson	Jones
Berryman (W)	Crawford	Hain	Kilgore
Blanton	Culver	Hardin	Lemley
Bolton	Dobbs	Harris	Lyons
Bowers	Downing	Haygood	Malone
Brannan	Edington	Headley	Manley
Brassell	Ellis	Higginbotham	Marr
Brown	Fine	Hill	Mathews
Burgess	Foshee	Hobbie	Mays
Cameron	Gafford	Holladay	McCorquodale

McDonald	Owen (Baldwin)	Sessions	Tuck	
McElhaney	Owens (W)	Shumate	Turnham	
McLain	Owens (W.E.)	Slate	Waggoner	
Meade	Paulk	Smith	Weeks	
Meeks	Pearson	Springer	Williams	
Merrill	Pennington	Starnes	Wood	
Money	Perloff	Steagall	Yeilding	
Nettles	Pruitt	Stembridge	Young	
Neville	Robertson	Stubbs		—91

MOTION TO BRING UP H. 20 LOST

The motion of Mr. Ellis to suspend the rules and bring up out of order the bill, H. 20, was lost.

Yeas 61; Nays 18.

Yeas:

Mr. Speaker	Culver	Jones	Paulk	
Adwell	Dill	Kilgore	Pearson	
Bank	Dobbs	Manley	Pruitt	
Bassett	Ellis	Mays	Robertson	
Beck	Fine	McDonald	Sessions	
Berryman (W)	Gafford	McElhaney	Shumate	
Blanton	Gloor	McLain	Steagall	
Bowers	Grainger	Meade	Stembridge	
Brannan	Hain	Meeks	Stubbs	
Brown	Harris	Merrill	Tuck	
Burgess	Headley	Money	Waggoner	
Cherner	Hobbie	Neville	Watkins	
Collier	Holman	Owen (Baldwin)	Weeks	
Cook (Jefferson)	House	Owens (W)	Wood	
Crane	Jackson (T)	Owens (W.E.)	Young	
Crawford				—61

Nays:

Messrs.:	Garrett	Hill	Perloff	
Agee	Graham	Lyons	Slate	
Brassell	Grayson	McCorquodale	Springer	
Collins (C)	Haygood	Nettles	Turnham	
Downing	Higginbotham	Pennington		—18

MOTION TO BRING UP H. 81 LOST

The motion of Mr. Starnes to suspend the rules and bring up out of order the bill, H. 81, was lost.

Yeas 42; Nays 37.

Yeas:

Mr. Speaker	Collier	Jones	Owen (Baldwin)	
Adwell	Culver	Lemley	Owens (W)	
Agee	Dobbs	Mathews	Owens (W.E.)	
Bank	Doss	Mays	Pearson	
Beck	Fine	McDonald	Robertson	
Berryman (W)	Foshee	McElhaney	Shumate	
Bowers	Gafford	McLain	Slate	
Brannan	Grainger	Meade	Springer	
Brown	Headley	Merrill	Steagall	
Burgess	House	Money	Young	
Cherner	Jackson (F)			—42

Nays:

Messrs.:	Grayson	Marr	Stembridge
Brassell	Harris	McCorquodale	Stubbs
Collins(C)	Haygood	Nettles	Tuck
Collins (W)	Higginbotham	Neville	Turnham
Crawford	Hill	Paulk	Waggoner
Downing	Hobbie	Pennington	Watkins
Edington	Kilgore	Perloff	Weeks
Ellis	Lyons	Pruitt	Wood
Garrett	Malone	Snell	Yeilding
Graham	Manley		—37

And the bill:

H. 45. To amend Code of Alabama 1940, Title 17, Section 198 so as to provide further for the compensation and mileage allowance of election officers.

Was taken up.

Mr. Starnes offered the following amendment to the bill, H. 45:

Strike out the quotation marks at the end of Section 1 and add as a part of Section 198 of Title 17, as amended hereby, the following:

However, in all counties in which the compensation of election officials is prescribed by local law or general law of local application at an amount in excess of the amount hereinabove prescribed the compensation of such election officials shall not be increased or decreased hereby, but in those counties in which election officials' compensation is set at an amount in excess of five dollars per day, but not as much as twelve dollars per day, the provision of the local law or general law of local application relative thereto is hereby superseded and the compensation hereinabove prescribed shall be the total compensation of election officials in such counties."

And the amendment was adopted.

Yeas 58; Nays 8.

Yeas:

Mr. Speaker	Doss	Lybrand	Pearson
Adwell	Downing	Malone	Pennington
Agee	Drake	McDonald	Robertson
Beck	Fine	McElhaney	Shumate
Berryman (W)	Foshee	McLain	Slate
Blanton	Garrett	Meade	Smith
Brannan	Graham	Meeks	Springer
Brassell	Grainger	Merrill	Starnes
Brown	Hain	Money	Steagall
Burgess	Headley	Nettles	Stembridge
Cameron	Hill	Neville	Stubbs
Collier	Holladay	Owen (Baldwin)	Turnham
Crawford	Jackson (F)	Owens (W)	Williams
Culver	Jones	Owens (W.E.)	Young
Dobbs	Lemley		—58

Nays:

Messrs.:	Edington	Grayson	McCorquodale
Collins(C)	Gafford	Lyons	Wood
Collins (W)			—8

UNANIMOUS CONSENT GRANTED TO CO-SPONSOR

At the request of Mr. Mays, unanimous consent was granted that his name be added as a co-sponsor to the bill, H. 45.

And the bill, H. 45, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 62; Nays 20.

Yeas:

Mr. Speaker	Culver	Jones	Owens (W.E.)
Adwell	Dobbs	Lemley	Pearson
Agee	Doss	Lybrand	Pennington
Bank	Downing	Malone	Robertson
Beck	Drake	Mays	Shumate
Berryman (K)	Fine	McDonald	Slate
Berryman (W)	Foshee	McElhaney	Smith
Blanton	Garrett	McLain	Springer
Bowers	Graham	Meade	Starnes
Brannan	Grainger	Meeks	Steagall
Brassell	Hain	Merrill	Stembridge
Brown	Haygood	Money	Turnham
Burgess	Headley	Neville	Waggoner
Cameron	Higginbotham	Owen (Baldwin)	Williams
Collier	Holladay	Owens (W)	Young
Crawford	Jackson (F)		—62

Nays:

Messrs.:	Grayson	Marr	Pruitt
Bassett	Harris	Mathews	Snell
Collins(C)	Jackson (T)	McCorquodale	Tuck
Collins (W)	Lyons	Nettles	Wood
Edington	Manley	Perloff	Yeilding
Gafford			—20

And the bill:

H. 51. To amend Code of Alabama 1940, Title 51, Section 342, relating to contracts of foreign corporations, so as to provide for subsequent validation of certain of such contracts which were void when made.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 71; Nays 2.

Yeas:

Mr. Speaker	Cameron	Grainger	Malone
Adwell	Collier	Grayson	Marr
Agee	Collins(C)	Hain	Mays
Bank	Collins (W)	Hardin	McCorquodale
Bassett	Culver	Haygood	McDonald
Beck	Dobbs	Headley	McElhaney
Berryman (K)	Doss	Higginbotham	McLain
Berryman (W)	Downing	Hill	Meade
Bowers	Drake	Holman	Merrill
Brannan	Fine	Jones	Money
Brassell	Gafford	Lemley	Nettles
Brown	Gloor	Lybrand	Owen (Baldwin)
Burgess	Graham	Lyons	Owens (W)

Owens (W.E.)	Pruitt	Springer	Watkins
Paulk	Robertson	Starnes	Williams
Pearson	Shumate	Stembridge	Wood
Pennington	Slate	Stubbs	Young
Perloff	Smith	Turnham	—71

Nays: Messrs. Blanton and Neville. —2

And the bill:

H. 52. To amend Section 89 of Act No. 414, S. 261, Regular Session 1959 (Acts 1959, p. 1055, at p. 1099), known as the "Alabama Business Corporation Act," so as to provide further for contracts of corporations not qualified to do business in this state.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 68; Nays 3.

Yeas:

Mr. Speaker	Doss	Jones	Owens (W)
Adwell	Downing	Lemley	Owens (W.E.)
Agee	Drake	Lybrand	Paulk
Bassett	Fine	Lyons	Pearson
Beck	Foshee	Malone	Perloff
Berryman (K)	Gafford	Marr	Pruitt
Berryman (W)	Gloor	Mays	Robertson
Bowers	Graham	McCorquodale	Shumate
Brannan	Grainger	McDonald	Slate
Burgess	Grayson	McElhaney	Smith
Cameron	Hain	McLain	Starnes
Cherner	Hardin	Meade	Stembridge
Collier	Haygood	Meeks	Turnham
Collins(C)	Headley	Merrill	Watkins
Collins (W)	Higginbotham	Money	Williams
Culver	Hill	Nettles	Wood
Dobbs	Holman	Owen (Baldwin)	Young

—68

Nays: Messrs. Blanton, Jackson (T) and Neville. —3

MOTION TO BRING UP H. 20, H. 21, H. 22 LOST

The motion of Mr. Crane to suspend the rules and bring up out of order the bills, H. 20, H. 21 and H. 22, was lost.

Yeas 60; Nays 28.

Yeas:

Mr. Speaker	Culver	Jones	Owens (W.E.)
Adwell	Dobbs	Kilgore	Paulk
Agee	Doss	Lyons	Pearson
Bank	Ellis	Manley	Pruitt
Beck	Fine	Mathews	Robertson
Berryman (W)	Gafford	Mays	Sessions
Blanton	Gloor	McCorquodale	Smith
Bowers	Grainger	McElhaney	Steagall
Brannan	Hain	McLain	Stembridge
Brown	Headley	Meade	Stubbs
Burgess	Higginbotham	Meeks	Tuck
Cherner	Hobbie	Money	Waggoner
Collier	Holman	Neville	Watkins
Cook (Jefferson)	House	Owen (Baldwin)	Weeks
Crane	Jackson (T)	Owens (W)	Young

—60

Nays:

Messrs.:	Edington	Hill	Slate
Bassett	Garrett	Holladay	Springer
Berryman (K)	Graham	Malone	Starnes
Brassell	Grayson	McDonald	Turnham
Cameron	Hardin	Nettles	Williams
Collins(C)	Harris	Pennington	Wood
Crawford	Haygood	Shumate	Yeilding
Downing			

—28

And the bill:

H. 54. To amend Section 369 of Title 13, Code of Alabama, 1940, as recompiled, so as to afford a defendant the right to demand a jury trial and remove the pending charges and proceedings to Circuit Court and to provide for bond.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 60; Nays 4.

Yeas:

Mr. Speaker	Downing	Jackson (F)	Pearson
Adwell	Edington	Jones	Pennington
Agee	Ellis	Lemley	Robertson
Bassett	Fine	Lybrand	Sessions
Beck	Foshee	Malone	Shumate
Berryman (W)	Gafford	Manley	Slate
Bowers	Grainger	Mays	Starnes
Brannan	Grayson	McDonald	Steagall
Brassell	Hain	McLain	Stembridge
Brown	Hardin	Meade	Stubbs
Burgess	Haygood	Meeks	Tuck
Cherner	Headley	Money	Turnham
Collier	Higginbotham	Neville	Watkins
Culver	Hobbie	Owen (Baldwin)	Williams
Dobbs	Holman	Owens (W.E.)	Young

—60

Nays:

Messrs.:			
Graham	Harris	Paulk	Springer

—4

And the bill:

H. 62(with amendment). To amend Act No. 567, S. 124, Regular Session 1969 (Acts 1969, p. 1049) so as to reduce the period of service required for supernumerary district attorneys.

Was taken up.

The question was on the adoption of the amendment reported by the Standing Committee on Judiciary, said Committee amendment being as follows:

Amend H. B. 62 by adding the following words at the end of Section 1:

"provided further that the provisions of this bill shall apply only to circuits consisting of one county and one circuit judge."

And the amendment was adopted.

Yeas 70; Nays 5.

Yeas:

Mr. Speaker	Downing	Lybrand	Paulk
Bank	Edington	Malone	Pearson
Bassett	Ellis	Manley	Pennington
Beck	Fine	Mathews	Pruitt
Berryman (K)	Gafford	Mays	Robertson
Berryman (W)	Garrett	McDonald	Sessions
Blanton	Graham	McElhaney	Shumate
Bowers	Grainger	McLain	Slate
Brannan	Grayson	Meade	Springer
Brassell	Hardin	Meeks	Starnes
Brown	Haygood	Merrill	Steagall
Cameron	Headley	Money	Tuck
Cherner	Hill	Nettles	Watkins
Collier	Holman	Neville	Weeks
Collins(C)	Jackson (F)	Owen (Baldwin)	Williams
Culver	Jones	Owens (W)	Wood
Dobbs	Kilgore	Owens (W.E.)	Young
Doss	Lemley		—70

Nays:

Messrs.:	Gloor	Lyons	McCorquodale
Crawford	Jackson (T)		—5

And the bill, H. 62, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 9.

Yeas:

Mr. Speaker	Ellis	Manley	Paulk
Bassett	Fine	Marr	Pearson
Beck	Graham	Mathews	Pennington
Berryman (K)	Grainger	Mays	Pruitt
Berryman (W)	Grayson	McDonald	Sessions
Bowers	Hardin	McElhaney	Shumate
Brannan	Haygood	McLain	Slate
Brassell	Headley	Meade	Springer
Cameron	Hill	Meeks	Starnes
Collier	Holman	Merrill	Steagall
Collins(C)	Jackson (F)	Money	Tuck
Collins (W)	Jones	Nettles	Watkins
Dobbs	Kilgore	Neville	Weeks
Doss	Lemley	Owen (Baldwin)	Williams
Downing	Lybrand	Owens (W)	Wood
Edington	Malone	Owens (W.E.)	Young
			—64

Nays:

Messrs.:	Gloor	Jackson (T)	McCorquodale
Crawford	Harris	Lyons	Stembridge
Garrett	Hobbie		—9

And the bill:

H. 73. To amend the title to and Sections 1, 3 and 5 of Act No. 79 adopted at the First Special Session of 1959 of the Legislature

of Alabama so as to provide that warrants issued pursuant to Senate Act may at the option of the governing body of the county or municipality issuing such warrants constitute limited obligations of such county or municipality payable solely out of a specified tax, so as to increase the maximum permissible interest rate that may be borne by any warrants issued under the provisions of the said act, and so as to make the said act apply to any educational facility of any state institution of higher learning above the secondary school classification.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 88; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Owens (W.E.)
Adwell	Doss	Jones	Paulk
Agee	Downing	Kilgore	Pearson
Bank	Drake	Lemley	Pennington
Bassett	Edington	Lybrand	Perloff
Beck	Ellis	Lyons	Pruitt
Berryman (K)	Fine	Malone	Robertson
Berryman (W)	Gafford	Manley	Sessions
Blanton	Garrett	Marr	Shumate
Bolton	Gloor	Mays	Slate
Bowers	Graham	McCorquodale	Smith
Brannan	Grainger	McDonald	Starnes
Brassell	Grayson	McElhaney	Steagall
Brown	Hain	McLain	Stembridge
Burgess	Hardin	Meade	Stubbs
Cameron	Harris	Meeks	Tuck
Cherner	Haygood	Merrill	Turnham
Collier	Headley	Money	Watkins
Collins (C)	Hill	Nettles	Weeks
Collins (W)	Hobbie	Neville	Williams
Crawford	Holladay	Owen (Baldwin)	Wood
Culver	Holman	Owens (W)	Young

—88

And the bill:

H. 77. Relating to usury; amending Code of Alabama 1940, Title 9, Sections 60, 61 and 66 so as to raise the legal rate of interest which may be charged and collected on a loan; to authorize the aggregation of principal and interest at such increased rate when arriving at the amount of periodic installments; and to provide that a banker who discounts a note, bill of exchange or draft at such increased rate will not forfeit the right to collect interest.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 73; Nays 4.

Yeas:

Mr. Speaker	Berryman (W)	Brown	Culver
Adwell	Blanton	Burgess	Dobbs
Agee	Bolton	Cameron	Doss
Bank	Bowers	Collier	Downing
Bassett	Brannan	Cook (Jefferson)	Drake
Beck	Brassell	Crawford	Ellis

Fine	Jones	Meeks	Sessions
Grainger	Lemley	Money	Shumate
Grayson	Lybrand	Nettles	Slate
Hain	Lyons	Neville	Starnes
Hardin	Malone	Owen (Baldwin)	Steagall
Harper	Marr	Owens (W)	Stembridge
Harris	Mathews	Owens (W.E.)	Turnham
Haygood	Mays	Paulk	Waggoner
Headley	McDonald	Pearson	Williams
Higginbotham	McElhaney	Pennington	Wood
Hill	McLain	Perloff	Yeilding
Holman	Meade	Robertson	Young
House			—73

Nays:

Messrs.:			
Collins (C)	Garrett	Graham	Stubbs
			—4

And the bill:

H. 28. To amend Section 7 of Act No. 775 enacted at the 1951 Regular Session of the Legislature of Alabama; which Act relates to Boards of Water and Sewer Commissioners.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 77; Nays 0.

Yeas:

Mr. Speaker	Downing	Jones	Paulk
Agee	Drake	Lemley	Pearson
Bank	Edington	Lybrand	Pennington
Bassett	Ellis	Malone	Perloff
Beck	Fine	Manley	Pruitt
Berryman (W)	Gafford	Marr	Robertson
Blanton	Graham	Mathews	Shumate
Brannan	Grainger	Mays	Slate
Brassell	Grayson	McDonald	Smith
Brown	Hain	McElhaney	Starnes
Burgess	Hardin	McLain	Steagall
Cameron	Harper	Meade	Stembridge
Cherner	Harris	Meeks	Stubbs
Collier	Haygood	Money	Tuck
Collins (C)	Headley	Nettles	Turnham
Collins (W)	Higginbotham	Neville	Weeks
Crawford	Hill	Owen (Baldwin)	Williams
Culver	Hobbie	Owens (W)	Wood
Dobbs	Holladay	Owens (W.E.)	Yeilding
Doss			—77

And the bill:

H. 30. To amend Code of Alabama 1940, Title 13, Section 397 relative to the civil jurisdiction of the justices of the peace.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Drake	Jackson (F)	Owen (Baldwin)
Agee	Ellis	Jones	Owens (W.E.)
Bassett	Fine	Lemley	Paulk
Beck	Foshee	Lybrand	Pearson
Blanton	Gafford	Lyons	Pennington
Bolton	Garrett	Malone	Perloff
Bowers	Grainger	Marr	Sessions
Brannan	Grayson	Mathews	Slate
Brassell	Hardin	Mays	Smith
Brown	Harper	McDonald	Springer
Burgess	Harris	McElhaney	Starnes
Burgreen	Haygood	McLain	Turnham
Cameron	Headley	Meade	Watkins
Collier	Higginbotham	Meeks	Weeks
Collins (W)	Hill	Money	Williams
Culver	Holladay	Nettles	Wood
Doss	Holman	Neville	Yeilding
Downing	House		

—70

MOTION TO BRING UP H. 20, H. 21, AND H. 22 LOST

The motion of Mr. House to suspend the rules and bring up out of order the bills, H. 20, H. 21 and H. 22, was lost.

Yeas 62; Nays 18.

Yeas:

Mr. Speaker	Crane	Kilgore	Owen (Baldwin)
Adwell	Culver	Lybrand	Owens (W)
Bank	Dobbs	Lyons	Owens (W.E.)
Bassett	Ellis	Manley	Paulk
Beck	Fine	Mathews	Pearson
Berryman (W)	Foshee	Mays	Pruitt
Blanton	Gafford	McCorquodale	Robertson
Bowers	Gloor	McDonald	Sessions
Brannan	Grayson	McElhaney	Starnes
Brown	Hain	McLain	Stubbs
Burgess	Headley	Meade	Watkins
Burgreen	Hobbie	Meeks	Weeks
Cherner	Holman	Merrill	Williams
Collier	Jackson (F)	Money	Wood
Collins (W)	Jackson (T)	Neville	Young
Cook (Jefferson)	Jones		

—62

Nays:

Messrs.:	Crawford	Hardin	Pennington
Bolton	Doss	Haygood	Springer
Brassell	Downing	Hill	Turnham
Cameron	Garrett	Holladay	Yeilding
Collins (C)	Graham	Nettles	

—18

MOTION TO BRING UP H. 20 LOST

The motion of Mr. Manley to suspend the rules and bring up out of order the bill, H. 20, was lost.

Yeas 63; Nays 26.

Yeas:

Mr. Speaker	Culver	Jones	Owens (W.E.)
Adwell	Doss	Kilgore	Pearson
Agee	Ellis	Lyons	Pruitt
Bank	Fine	Manley	Robertson
Beck	Foshee	Marr	Sessions
Berryman (W)	Gafford	Mays	Slate
Blanton	Gloor	McCorquodale	Smith
Bowers	Grayson	McDonald	Starnes
Brannan	Hain	McElhaney	Steagall
Brown	Harper	Meade	Stubbs
Burgess	Headley	Meeks	Waggoner
Cherner	Hobbie	Merrill	Watkins
Collier	Holman	Money	Weeks
Collins (W)	House	Neville	Williams
Cook (Jefferson)	Jackson (F)	Owen (Baldwin)	Young
Crane	Jackson (T)	Owens (W)	—63

Nays:

Messrs.:	Crawford	Harris	Paulk
Bassett	Downing	Haygood	Pennington
Bolton	Edington	Higginbotham	Springer
Brassell	Garrett	Hill	Stembridge
Burgreen	Graham	Holladay	Turnham
Cameron	Grainger	Malone	Yeilding
Collins (C)	Hardin	Nettles	—26

And the bill:

H. 64. To amend further Act No. 201, Regular Session 1955, relating to public school Administration.

Was taken up.

UNANIMOUS CONSENT GRANTED TO CO-SPONSOR

At the request of Mr. Burgess, unanimous consent was granted that he be added as a co-sponsor to the bill, H. 64.

And the bill, H. 64, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 68; Nays 4.

Yeas:

Mr. Speaker	Culver	Jones	Paulk
Adwell	Doss	Kilgore	Pearson
Bank	Downing	Lemley	Pennington
Bassett	Drake	Lybrand	Perloff
Beck	Fine	Malone	Robertson
Berryman (K)	Foshee	Marr	Slate
Berryman (W)	Gafford	Mays	Smith
Blanton	Grayson	McDonald	Springer
Bowers	Hain	McElhaney	Starnes
Brannan	Harper	Meade	Steagall
Brassell	Haygood	Meeks	Stubbs
Brown	Headley	Merrill	Waggoner
Burgess	Hill	Money	Watkins
Burgreen	Hobbie	Neville	Weeks
Cameron	Holman	Owen (Baldwin)	Williams
Collier	Jackson (F)	Owens (W)	Wood
Collins (W)	Jackson (T)	Owens (W.E.)	Young

—68

Nays:

Messrs.:

Collins (C)	Graham	Grainger	Nettles

—4

And the bill:

H. 36. To provide for uniformity in designating county governing bodies in the several counties of this state.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 78; Nays 2.

Yeas:

Mr. Speaker	Culver	Jones	Neville
Agee	Downing	Kilgore	Owen (Baldwin)
Bassett	Ellis	Lemley	Pearson
Beck	Fine	Lybrand	Pennington
Berryman (K)	Foshee	Lyons	Perloff
Berryman (W)	Gafford	Malone	Pruitt
Blanton	Graham	Manley	Robertson
Bolton	Grainger	Marr	Sessions
Bowers	Grayson	Mathews	Shumate
Brannan	Hain	Mays	Smith
Brassell	Harper	McCorquodale	Springer
Brown	Harris	McDonald	Starnes
Burgess	Haygood	McElhaney	Steagall
Burgreen	Headley	McLain	Stembridge
Cameron	Higginbotham	Meade	Turnham
Collier	Hill	Meeks	Williams
Collins (C)	Hobbie	Merrill	Wood
Collins (W)	Holladay	Money	Yeilding
Crane	Holman	Nettles	Young
Crawford	Jackson (F)		

—78

Nays: Messrs. Garrett and Owens (W). —2

RESOLUTION

The following resolution was introduced:

By Mr. Paulk:

H. J. R. 13. WHEREAS, inflation is increasing the cost of food and especially vegetables every week, and

WHEREAS, curbing inflation is our national goal and patriotic duty,

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, That we do hereby call upon every family in Alabama to plant a garden, thereby increasing the supply of fresh vegetables for the benefit of the physical and economic health of the people of Alabama.

On motion of Mr. Paulk, the rules were suspended and H. J. R. 13 was adopted.

And the bill:

H. 35. To amend Section 7, entitled "Procedure for Adopting Rules and Regulations"; Section 8, entitled "Enforcement of Rules and Regulations"; Section 10, entitled "Enforcement Proceedings by Commission";

and Section 14, entitled "Pre-emption", of Act No. 1135, S. 520, of the 1969 Regular session of the Legislature of Alabama, approved September 13, 1969, entitled "An Act to Provide for the Control of Air Pollution within the State of Alabama; to create and establish an Air Pollution Control Commission; to prescribe the jurisdiction, powers, duties and function of Air Pollution Control Commission; to provide for an executive director of the Commission; to provide for the enforcement of the Act and orders, rules and regulations adopted by the Air Pollution Control Commission; prescribing penalties and making appropriations", so as to change the procedure for adopting rules and regulations; so as to change the provisions for enforcement of rules and regulations; so as to change the provisions for enforcement proceedings by the Commission; so as to alter the pre-emption provisions to give Cities and Towns the authority to enact ordinances on the subject of air contamination within the Corporate Limits and the Police jurisdiction thereof; and so as to authorize the creation of County and municipal advisory boards and committees.

Was taken up.

MOTION TO CARRY OVER

On motion of Mr. Adwell, the bill, H. 35, was carried over until 3 o'clock P. M.

Yeas 44; Nays 37.

Yeas:

Mr. Speaker	Culver	Hobbie	Paulk
Adwell	Dobbs	Holman	Pearson
Bassett	Ellis	House	Sessions
Bolton	Fine	Jackson (T)	Smith
Bowers	Foshee	Kilgore	Springer
Brannan	Gloor	Lemley	Stubbs
Brassell	Graham	Manley	Tuck
Brown	Hardin	McDonald	Turnham
Cherner	Harper	McElhaney	Watkins
Cook (Jefferson)	Harris	Meade	Weeks
Crane	Headley	Owens (W)	Yeilding

—44

Nays:

Messrs.:	Edington	Lybrand	Neville
Agee	Gafford	Lyons	Owen (Baldwin)
Beck	Garrett	Malone	Owens (W.E.)
Berryman (K)	Grainger	Marr	Pennington
Berryman (W)	Grayson	Mays	Perloff
Burgreen	Haygood	McLain	Robertson
Collier	Higginbotham	Meeks	Steagall
Collins (C)	Hill	Merrill	Stembridge
Crawford	Holladay	Nettles	Wood
Downing	Jones		

—37

And the bill:

H. 4. To authorize the governing body of each county of the state to acquire by purchase, donation, or otherwise, land situated within the county, or within any adjoining county, for the purpose of establishing and maintaining on such land a public park or recreational area; to authorize each county to maintain and operate parks or recreational areas; to authorize the appropriation and expenditure of the funds of the county for such purposes; and to authorize two or more counties to cooperate in the joint establishment and operation of a park or recreational area.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 90; Nay 1.

Yeas:

Mr. Speaker	Downing	Jones	Owens (W.E.)
Adwell	Edington	Kilgore	Pearson
Agee	Ellis	Lemley	Pennington
Bank	Fine	Lybrand	Perloff
Bassett	Foshee	Lyons	Pruitt
Beck	Gafford	Malone	Robertson
Berryman (W)	Garrett	Manley	Sessions
Blanton	Gloor	Marr	Shumate
Bolton	Graham	Mathews	Slate
Bowers	Grainger	Mays	Smith
Brannan	Grayson	McCorquodale	Springer
Brassell	Hain	McDonald	Starnes
Brown	Hardin	McElhaney	Stembridge
Burgess	Harper	McLain	Stubbs
Burgreen	Harris	Meade	Tuck
Cherner	Haygood	Meeks	Turnham
Collier	Headley	Merrill	Watkins
Collins(C)	Higginbotham	Money	Weeks
Collins (W)	Hill	Nettles	Williams
Crane	Hobbie	Neville	Wood
Crawford	Holladay	Owen (Baldwin)	Yeilding
Culver	Holman	Owens (W)	Young
Dobbs	Jackson (T)		—90

Nay: Mr. Steagall. —1

MOTION TO RECESS LOST

The motion of Mr. Pennington that the House recess until 2:30 o'clock P. M. was lost.

And the bill:

H. 3. To levy a privilege or license tax on non-resident live fish and minnow dealers; to provide for the distribution of all monies accruing under the provisions of this act; to provide a penalty for the violation of any provision of this act.

Was taken up.

RECESS

On motion of Mrs. Collins (C), the House recessed for five minutes.

Yeas 39; Nays 35.

Yeas:

Mr. Speaker	Collins (W)	Hobbie	Owens (W.E.)
Beck	Crawford	Lybrand	Pearson
Berryman (K)	Dobbs	Marr	Perloff
Berryman (W)	Edington	Mays	Robertson
Blanton	Fine	McLain	Sessions
Bolton	Graham	Meade	Shumate
Brannan	Grainger	Meeks	Snell
Burgess	Hain	Money	Springer
Collier	Harris	Neville	Yeilding
Collins (C)	Higginbotham	Owen (Baldwin)	—39

Nays:

Messrs.:	Crane	Harper	McDonald
Adwell	Culver	Haygood	Owens (W)
Agee	Downing	Headley	Smith
Bassett	Ellis	Hill	Starnes
Brassell	Foshee	Holladay	Steagall
Brown	Gafford	Holman	Stembridge
Burgreen	Garrett	Jones	Stubbs
Cherner	Grayson	Lyons	Turnham
Cook (Jefferson)	Hardin	Malone	Williams

—35

HOUSE RECONVENED

The House reconvened at 1:55 o'clock P. M. The Speaker called the House to order.

UNANIMOUS CONSENT TO CO-SPONSOR

At the request of Messrs. Starnes, McDonald, Drake, Meade, Turnham and Stubbs, unanimous consent was granted that they be added as co-sponsors of the bill, H. 3.

And the bill, H. 3, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 64; Nays 3.

Yeas:

Mr. Speaker	Downing	Holladay	Owen (Baldwin)
Adwell	Drake	Jackson (F)	Pearson
Agee	Fine	Jones	Pennington
Bassett	Foshee	Lemley	Perloff
Beck	Garrett	Lybrand	Sessions
Berryman (K)	Graham	Lyons	Shumate
Berryman (W)	Grainger	Malone	Slate
Bolton	Hain	Mays	Springer
Brannan	Hardin	McCorquodale	Starnes
Brassell	Harper	McDonald	Steagall
Burgreen	Harris	McElhaney	Stembridge
Cameron	Haygood	Meade	Stubbs
Collier	Headley	Merrill	Turnham
Crane	Higginbotham	Money	Williams
Crawford	Hill	Nettles	Wood
Doss	Hobbie	Neville	Yeilding

—64

Nays: Messrs. Blanton, Collins (C) and Edington. —3

And the bill:

H. 37. Authorizing every county and every municipality of the State to establish and operate a collection and disposal system for automobile hulks, discarded or abandoned appliances or equipment, junk, and any other metallic or non-metallic trash or debris; authorizing the charging of a fee or fees for such services; directing each county in the State to establish a special study commission concerning the control, storage, abandonment, or disposal of such material; authorizing the county commission to designate, by resolution of the Commission, and after a hearing, areas or zones within the county where such material may be kept or stored; and making the storage of such material unlawful, except in conformity with this act; and providing punishment for the violation thereof.

Was read a third time at length and lost.

Yeas 31; Nays 21.

Yeas:

Messrs.:	Cameron	Kilgore	McLain
Agee	Ellis	Lemley	Neville
Berryman (K)	Grainger	Lybrand	Pennington
Blanton	Hain	Marr	Perloff
Bolton	Haygood	Mays	Steagall
Brassell	Hill	McCorquodale	Tuck
Brown	Holladay	McDonald	Turnham
Burgreen	Jones	McElhaney	Wood

—31

Nays:

Mr. Speaker	Downing	Gloor	Nettles
Collins (C)	Edington	Graham	Owen (Baldwin)
Collins (W)	Foshee	Grayson	Pruitt
Crawford	Gafford	Jackson (T)	Shumate
Dobbs	Garrett	Merrill	Slate
Doss			

—21

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum physically present.

And the bill:

H. 2. Regulating the practice of radiologic technology, providing for appointment and operation of the Board of Radiologic Technologists Examiners for the State of Alabama; providing for examination and licensing of radiologic technologists; providing for the enforcement of this act; and prescribing penalties and fees.

Was taken up.

Mr. McElhaney offered the following amendment to the bill:

To amend Section 1 of H. B. 2, regulating the practice of radiologic technology, providing for appointment and operation of the Board of Radiologic Technologists Examiners for the State of Alabama; providing for examination and licensing of radiologic technologists; providing for the enforcement of this act; and prescribing penalties and fees.

Section 1. "Section 1 of H. B. 2 is hereby amended by deleting the entire section and substituting in lieu thereof the following:

"Section 1. Board of Radiologic Technologists Examiners created. This board shall consist of 10 members as follows: Five physicians, at least three of whom shall be board certified radiologists; three radiologic technologists; one licensed dentist; the director, Division of Radiological Health of the State Health Department.

MOTION TO TABLE

On motion of Mr. Lemley, the amendment offered by Mr. McElhaney was tabled.

Yeas 31; Nays 21.

Yeas:

Messrs.:	Downing	Holladay	Owens (W.E.)
Adwell	Drake	Jackson (T)	Perloff
Agee	Garrett	Marr	Robertson
Bolton	Gloor	McCorquodale	Smith
Brown	Graham	McDonald	Starnes
Burgess	Grainger	Meade	Steagall
Crawford	Haygood	Merrill	Stubbs
Culver	Hobbie	Owens (W)	Tuck

—31

Nays:

Mr. Speaker	Collins(C)	Kilgore	Pearson
Bassett	Doss	Lemley	Shumate
Berryman (W)	Fine	Mays	Slate
Brannan	Grayson	Neville	Springer
Brassell	Harris	Owen (Baldwin)	Turnham
Burgreen			

—21

PRESENCE OF QUORUM ASCERTAINTD

The presence of a quorum was questioned and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum physically present.

And the bill, H. 2, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 59; Nays 5.

Yeas:

Messrs.:	Collier	Hill	Owens (W)
Adwell	Crane	Hobbie	Owens (W.E.)
Agee	Culver	Holladay	Pennington
Bank	Downing	Jackson (T)	Perloff
Bassett	Drake	Jones	Pruitt
Beck	Ellis	Lyons	Robertson
Berryman (W)	Gafford	Malone	Slate
Bolton	Garrett	Marr	Smith
Brannan	Graham	Mays	Springer
Brassell	Grainger	McCorquodale	Starnes
Brown	Grayson	McDonald	Steagall
Burgess	Hain	Meade	Stubbs
Burgreen	Hardin	Money	Tuck
Cameron	Haygood	Nettles	Turnham
Cherner	Higginbotham	Owen (Baldwin)	Weeks

—59

Nays:

Mr. Speaker	Nettles	Pearson	Shumate
McElhaney			

—5

And the bill:

H. 26. To regulate further the transfer of employees of county and city boards of education.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 80; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Jackson (T)	Owens (W.E.)
Adwell	Doss	Jones	Pearson
Agee	Downing	Kilgore	Pennington
Bank	Drake	Lemley	Perloff
Bassett	Edington	Lybrand	Pruitt
Beck	Ellis	Lyons	Robertson
Berryman (K)	Fine	Malone	Shumate
Berryman (W)	Foshee	Manley	Slate
Blanton	Gafford	Marr	Smith
Brannan	Grainger	Mays	Springer
Brassell	Grayson	McCorquodale	Starnes
Brown	Hardin	McDonald	Steagall
Burgess	Haygood	McLain	Stubbs
Burgreen	Headley	Meade	Tuck
Cameron	Higginbotham	Merrill	Turnham
Collier	Hill	Money	Waggoner
Collins (W)	Hobbie	Nettles	Watkins
Crane	Holladay	Neville	Weeks
Crawford	Holman	Owen (Baldwin)	Williams
Culver	Jackson (F)	Owens (W)	Wood

—80

And the bill:

H. 33. To amend Section 2, III (47) of Act No. 995, 1969 Regular Session, entitled "To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools."

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 78; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Holladay	Owens (W)
Adwell	Doss	Holman	Owens (W.E.)
Agee	Downing	Jackson (F)	Pearson
Bank	Drake	Jackson (T)	Pennington
Bassett	Edington	Lemley	Perloff
Beck	Fine	Lybrand	Robertson
Berryman (K)	Foshee	Lyons	Shumate
Berryman (W)	Gafford	Malone	Slate
Blanton	Garrett	Marr	Smith
Brannan	Gloor	Mays	Starnes
Brassell	Graham	McCorquodale	Steagall
Brown	Grainger	McDonald	Stubbs
Burgreen	Grayson	McLain	Tuck
Cameron	Hardin	Meade	Turnham
Cherner	Harper	Merrill	Watkins
Collier	Harris	Money	Weeks
Collins (C)	Haygood	Nettles	Williams
Crane	Headley	Neville	Wood
Crawford	Hill	Owen (Baldwin)	Yeilding
Culver	Hobbie		

—78

And the bill:

H. 20. Teacher-principal reassignment, retransfer reinstatement procedure, prescribing the method and procedure thereof.

Was taken up.

MOTION TO CARRY OVER

Mr. Doss moved that the bill, H. 20, be carried over one legislative day.

MOTION TO CARRY OVER TABLED

On motion of Mr. Ellis, the motion of Mr. Doss to carry over the bill, H. 20, was tabled.

Yeas 48; Nays 31.

Yeas:

Mr. Speaker	Cook (Jefferson)	Kilgore	Owens (W)
Adwell	Crane	Lemley	Owens (W.E.)
Agee	Ellis	Lyons	Pearson
Beck	Fine	Marr	Pennington
Berryman (K)	Gafford	Mays	Robertson
Blanton	Gloor	McCorquodale	Sessions
Bowers	Grainger	Meade	Smith
Brannan	Grayson	Meeks	Steagall
Brown	Hain	Merrill	Stubbs
Burgess	Hobbie	Money	Waggoner
Burgreen	Holman	Neville	Weeks
Collier	Jackson (T)	Owen (Baldwin)	Wood

—48

Nays:

Messrs.:	Doss	Higginbotham	Perloff
Bank	Downing	Hill	Shumate
Bassett	Edington	Holladay	Slate
Berryman (W)	Garrett	Malone	Springer
Bolton	Graham	McDonald	Starnes
Collins (C)	Hardin	McElhaney	Tuck
Crawford	Harris	McLain	Turnham
Dobbs	Haygood	Nettles	Yeilding

—31

And the bill, H. 20, was read a third time at length and passed, and sent forthwith to the Senate without engrossment.

Yeas 58; Nays 21.

Yeas:

Mr. Speaker	Drake	Marr	Robertson
Adwell	Ellis	Mays	Sessions
Agee	Fine	McCorquodale	Shumate
Beck	Gafford	McElhaney	Slate
Berryman (W)	Gloor	Meade	Smith
Blanton	Grainger	Meeks	Starnes
Bowers	Grayson	Merrill	Steagall
Brannan	Hain	Neville	Stubbs
Burgess	Headley	Owen (Baldwin)	Tuck
Cameron	Hobbie	Owens (W)	Waggoner
Collier	Holman	Pearson	Watkins
Cook (Jefferson)	Jackson (T)	Pennington	Weeks
Crane	Kilgore	Perloff	Williams
Dobbs	Lemley	Pruitt	Wood
Doss	Lybrand		

—58

Nays:

Messrs.:	Downing	Hill	Nettles
Bank	Edington	Holladay	Owens (W.E.)
Bolton	Garrett	Malone	Springer
Brown	Graham	McDonald	Turnham
Burgreen	Harris	McLain	Yeilding
Collins (C)	Higginbotham		—21

And the bill:

H. 22. To prohibit the use of any public funds or property to provide public transportation for any student in Alabama to a point outside the zone of his or her residence as defined and fixed by court order in those schools which are operating or may hereafter be operated under a court approved or imposed zone plan of integration; to repeal all laws or parts of laws in conflict herewith; and to provide the effective date of this act.

Was taken up.

Mr. Stubbs offered the following amendment to the bill, H. 22:

In Section 1, strike out the period at the end of the section and insert in lieu thereof a semicolon and add the following words: except on request and approval of the parents of the students affected in counties having a population of less than 100,000 according to the last decennial federal census.

And the amendment was adopted.

Yeas 79; Nays 0.

Yeas:

Mr. Speaker	Doss	Hobbie	Pearson
Adwell	Downing	Holman	Pennington
Agee	Drake	Jackson (F)	Perloff
Bassett	Edington	Jones	Pruitt
Beck	Ellis	Kilgore	Sessions
Berryman (K)	Fine	Lemley	Shumate
Berryman (W)	Foshee	Lybrand	Slate
Blanton	Gafford	Lyons	Smith
Bolton	Garrett	Malone	Springer
Bowers	Graham	Manley	Starnes
Brannan	Grainger	Marr	Steagall
Brown	Grayson	Mays	Stubbs
Burgess	Hain	McCorquodale	Tuck
Burgreen	Hardin	McElhaney	Turnham
Cameron	Harper	Meeks	Waggoner
Cherner	Harris	Merrill	Weeks
Collier	Haygood	Nettles	Williams
Collins (W)	Headley	Neville	Wood
Crane	Higginbotham	Owen (Baldwin)	Yeilding
Dobbs	Hill	Owens (W)	—79

And the bill, H. 22, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 85; Nays 0.

Yeas:

Mr. Speaker	Bank	Berryman (K)	Bolton
Adwell	Bassett	Berryman (W)	Bowers
Agee	Beck	Blanton	Brannan

Brown	Gloor	Lybrand	Pennington
Burgess	Grainger	Lyons	Perloff
Burgreen	Grayson	Malone	Pruitt
Cameron	Hain	Manley	Sessions
Cherner	Hardin	Marr	Shumate
Collier	Harper	Mays	Slate
Collins (W)	Harris	McCorquodale	Smith
Cook (Jefferson)	Haygood	McDonald	Springer
Crane	Headley	McElhaney	Starnes
Dobbs	Hill	McLain	Steagall
Doss	Hobbie	Meade	Stubbs
Downing	Holladay	Meeks	Tuck
Drake	Holman	Merrill	Waggoner
Edington	Jackson (F)	Nettles	Watkins
Ellis	Jackson (T)	Neville	Weeks
Fine	Jones	Owen (Baldwin)	Williams
Foshee	Kilgore	Owens (W)	Wood
Gafford	Lemley	Pearson	Yeilding
Garrett			—85

And the bill:

H. 21. To provide for and require that the Attorney General of the State of Alabama represent and provide legal counsel, representation and defense for any teacher employed by any school system in Alabama where any action, administrative, civil or criminal, is instituted against such teacher by reason of his or her refusal to accept an assignment to achieve or force any faculty racial balance or quota in any school or school system in Alabama; to repeal any acts in conflict herewith; and to provide the effective date of this Act.

Was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment:

Yeas 77; Nays 3.

Yeas:

Mr. Speaker	Doss	Jackson (F)	Owen (Baldwin)
Adwell	Downing	Jackson (T)	Owens (W)
Agee	Drake	Jones	Pearson
Bank	Edington	Kilgore	Pennington
Bassett	Ellis	Lemley	Perloff
Beck	Fine	Lybrand	Robertson
Berryman (W)	Foshee	Lyons	Sessions
Blanton	Gafford	Malone	Shumate
Bowers	Grainger	Marr	Slate
Brannan	Grayson	Mays	Springer
Brown	Hain	McCorquodale	Starnes
Burgess	Hardin	McDonald	Steagall
Cameron	Harper	McElhaney	Stubbs
Cherner	Harris	McLain	Tuck
Collier	Haygood	Meade	Waggoner
Collins (W)	Headley	Meeks	Watkins
Cook (Jefferson)	Higginbotham	Merrill	Weeks
Crane	Hobbie	Nettles	Williams
Culver	Holman	Neville	Wood
Dobbs			—77

Nays: Messrs. Collins (C), Holladay and Yeilding. —3

H. 65 RE-COMMITTED

On motion of Mr. Wood, the bill, H. 65, was recommitted to the Standing Committee on Education.

And the bill:

H. 81. To amend Act No. 91, H. 22, Special Session 1969, Section 4, paragraph H (Acts 1969, p. 136) entitled "An Act to make annual appropriations for the support, maintenance and develpoment of public education in Alabama for each of the fiscal years ending September 30, 1970 and September 30, 1971", so as to provide for certain teacher salary increases from the Minimum Program Fund.

Was taken up.

Mr. Robertson offered the following amendment to the bill, H. 81:

Amend H. B. 81 by adding the following at the end of Section 1 thereof:

"Provided however, any local board of education may establish criteria for determining the amount of individual teacher salary increases."

And the amendment was adopted.

Yeas 51; Nays 2.

Yeas:

Mr. Speaker	Foshee	Lybrand	Perloff
Bank	Gafford	Malone	Robertson
Beck	Graham	Marr	Sessions
Blanton	Grainger	Mays	Shumate
Brown	Grayson	McDonald	Slate
Burgess	Hain	McElhaney	Smith
Cherner	Haygood	McLain	Springer
Collier	Headley	Merrill	Starnes
Culver	Higginbotham	Neville	Turnham
Dobbs	Holladay	Owen (Baldwin)	Watkins
Doss	Jackson (F)	Owens (W)	Weeks
Drake	Kilgore	Pearson	Williams
Fine	Lemley	Pennington	—51

Nays: Messrs. Collins (C) and Downing. —2

And the bill, H. 81, as thus amended, was read a third time at length and passed, and ordered sent forthwith to the Senate without engrossment.

Yeas 55; Nays 18.

Yeas:

Mr. Speaker	Burgess	Edington	Hobbie
Agee	Cameron	Fine	Holladay
Bank	Collier	Foshee	Jackson (F)
Bassett	Collins (W)	Graham	Jones
Beck	Crane	Grainger	Kilgore
Berryman (W)	Crawford	Hardin	Lemley
Bowers	Culver	Harris	Lybrand
Brannan	Dobbs	Haygood	Malone
Brown	Drake	Headley	Marr

Mathews	Merrill	Robertson	Stembridge	
Mays	Owen (Baldwin)	Shumate	Stubbs	
McElhaney	Owens (W)	Smith	Watkins	
McLain	Pearson	Springer	Weeks	
Meade	Pennington	Starnes		—55

Nays:

Messrs.:	Downing	Lyons	Pruitt	
Blanton	Gafford	McCorquodale	Slate	
Brassell	Grayson	Meeks	Snell	
Cherner	Higginbotham	Nettles	Turnham	
Collins (C)	Hill	Neville		—18

UNANIMOUS CONSENT TO CO-SPONSOR

At the request of Messrs. Mays and Culver, unanimous consent was granted to add their names as co-sponsors of the bill, H. 81.

UNANIMOUS CONSENT GRANTED

At the request of Mr. Beck, unanomius consent was granted for the Journal of the House to show he would have voted Yea on the bill, H. 20, had he been in the chambers.

ADJOURNMENT

On motion of Mr. Manley, the House adjourned until 4 o'clock P. M. Thursday, February 26, 1970.

Yeas 41; Nays 40.

Yeas:

Mr. Speaker	Culver	Hain	Meade	
Adwell	Doss	Harper	Neville	
Agee	Downing	Holladay	Pearson	
Bank	Drake	Holman	Pruitt	
Beck	Fine	Jackson (T)	Shumate	
Berryman (K)	Foshee	Kilgore	Snell	
Bowers	Gafford	Lyons	Tuck	
Brown	Garrett	Malone	Watkins	
Burgreen	Gloor	Manley	Weeks	
Cherner	Graham	McCorquodale	Yeilding	
Collins (C)				—41

Yeas:

Messrs.:	Dobbs	Jackson (F)	Perloff	
Bassett	Edington	Jones	Robertson	
Berryman (W)	Grainger	Lemley	Slate	
Blanton	Grayson	Lybrand	Smith	
Bolton	Hardin	McDonald	Springer	
Brannan	Harris	McLain	Starnes	
Burgess	Haygood	Merrill	Stubbs	
Cameron	Higginbotham	Nettles	Turnham	
Collier	Hill	Owen (Baldwin)	Wood	
Crane	Hobbie	Pennington	Young	
Crawford				—40

FOURTH DAY

House of Representatives
Montgomery, Alabama
Thursday, February 26, 1970

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by the Reverend Chester Jernigan, Pastor, Forest Park Baptist Church, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House, the following members answered to their names:

Mr. Speaker	Dill	House	Owens (W.E.)
Adwell	Dobbs	Jackson (F)	Paulk
Agee	Doss	Jackson (T)	Pearson
Bank	Downing	Jones	Pennington
Bassett	Drake	Kilgore	Perloff
Beck	Edington	Lemley	Pruitt
Berryman (K)	Ellis	Lybrand	Robertson
Berryman (W)	Fine	Lyons	Sessions
Blanton	Foshee	Malone	Shumate
Bolton	Gafford	Manley	Slate
Bowers	Garrett	Marr	Smith
Brannan	Gloor	Mathews	Snell
Brassell	Graham	Mays	Springer
Brown	Grainger	McCorquodale	Starnes
Burgess	Grayson	McDonald	Steagall
Burgreen	Hain	McElhaney	Stembridge
Cameron	Hardin	McLain	Stubbs
Cherner	Harper	Meade	Tuck
Collier	Harris	Meeks	Turnham
Collins (C)	Haygood	Melton	Waggoner
Collins (W)	Headley	Merrill	Watkins
Cook (Coffee)	Higginbotham	Money	Weeks
Cook (Jefferson)	Hill	Nettles	Williams
Crane	Hobbie	Neville	Wood
Crawford	Holladay	Owen (Baldwin)	Yeilding
Culver	Holman	Owens (W)	Young

—104

A quorum was present.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 11. Mourning the tragic and untimely death of Richard Grammer, Huntsville, center of the University of Alabama football team.

Also:

H. J. R. 12. Extending sympathy to the family of the late William Thomas Giles of Decatur, Alabama.

Also:

H. J. R. 13. Calling upon every family in Alabama to plant a garden.

McDOWELL LEE,
Secretary.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the third legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the third legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the third legislative day was approved.

BILLS ON SECOND READING

Mr. Merrill, Chairman of the Standing Committee on Judiciary, reported that said Committee in session had acted on the following bill and ordered same returned to the House with a favorable report, and it was read a second time and placed on the Calendar, to-wit:

S. 1. To prevent discrimination on account of race, color, creed or national origin in connection with the education of the children of the State of Alabama.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Smith and Bolton:

H. J. R. 14. WHEREAS the members of the Talladega County School Board, the Talladega City School Board, and the Sylacauga City School Board, and the superintendents, principals, teachers and employees of these three systems have shown themselves to be conscientious and dedicated public servants in a time of great crisis in the field of education, and

WHEREAS these people have waged a vigorous, thankless campaign to preserve and improve quality education in their districts, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we hereby express our extreme pride and pleasure in the hardworking and selfless manner in which these ladies and gentlemen have served the public, at a time when school systems throughout the Nation are being harassed and intimidated, and we heartily praise and commend them for their steadfast devotion to the cause of public education.

On motion of Mr. Smith, the rules were suspended and H. J. R. 14 was adopted.

Also:

By Mr. Smith:

H. J. R. 15. BE IT RESOLVED BY THE LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That the Legislative Reference Service, with the advice of the Legislative Council, shall plan, provide for and conduct an orientation meeting for members of each legislature during the period of time between the declaration of election of such members and the organizational session of such legislature. This meeting shall include but shall not be limited to, orientation on legislative rules and procedures, laws concerning legislative ethics and conflicts of interest, matters concerning the organization, condition, functions, problems and finances of the state government, and reports of interim committees and commissions.

BE IT FURTHER RESOLVED That each member of the Legislature who attends an orientation meeting held pursuant to this Resolution shall be intitled to receive the same per diem and expense allowances that he is entitled to receive when attending sessions of the Legislature. Such per diem and expense allowances shall be paid out of funds heretofore appropriated for the salaries and expenses of the Legislature in the same manner that the per diem and expenses of members of the legislature during sessions are paid. All other expenses incurred in connection with preparing the agenda and conducting such meeting shall also be paid from funds heretofore appropriated for expenses of the Legislature; provided, however, the total amount expended for compensation and expenses of the members and other expenses of the orientation meeting of any one Legislature shall not exceed $50,000.

On motion of Mr. Smith, the rules were suspended for the adoption of H. J. R. 15.

Yeas 42; Nays 3.

Yeas:

Messrs.:	Collier	Grayson	McElhaney	
Bassett	Collins (C)	Hardin	McLain	
Berryman (K)	Collins (W)	Harris	Melton	
Berryman (W)	Dill	Hobbie	Nettles	
Brannan	Doss	Holman	Owen (Baldwin)	
Brassell	Downing	Jackson (T)	Perloff	
Brown	Fine	Jones	Smith	
Burgess	Foshee	Kilgore	Snell	
Burgreen	Gloor	Marr	Waggoner	
Cameron	Graham	Mathews	Wood	
Cherner	Grainger	McDonald		—42

Nays: Mr. Speaker, Owens (W) and Stubbs. —3

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned, and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum physically present.

The question then was on the adoption of H. J. R. 15, and on motion of Mr. Smith, it was adopted.

Yeas 41; Nays 3.

Yeas:

Messrs.:	Collins (C)	Harris	McElhaney	
Bassett	Collins (W)	Headley	McLain	
Berryman (K)	Dill	Hobbie	Melton	
Berryman (W)	Downing	Jackson (F)	Nettles	
Brannan	Fine	Jackson (T)	Owen (Baldwin)	
Brassell	Foshee	Jones	Perloff	
Brown	Gloor	Kilgore	Smith	
Burgreen	Graham	Marr	Snell	
Cameron	Grainger	Mathews	Turnham	
Cherner	Grayson	McDonald	Wood	
Collier	Hardin			—41

Nays: Mr. Speaker, Lemley and Tuck. —3

PRESENCE OF QUORUM ASCERTAINED

The presence of a quorum was questioned, and the Speaker directed the Clerk to ascertain if there was a quorum present.

The Clerk reported that there was a quorum physically present.

Also:

By Mr. **Fine:**

H. J. R. 16. WHEREAS, Jessie A. Brown served Lamar County as its Representative and Commissioners Court Clerk in capable and faithful manner, and

WHEREAS, Jessie A. Brown also was an outstanding business and civic leader in Lamar County, Alabama, and

WHEREAS, the said Jessie A. Brown departed this life on February 13, 1970, and

WHEREAS, His death is a grievous loss to all of the Citizens of Lamar County, Alabama, which looked to him for inspiration and leadership, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the sincere sympathy of the Legislature is extended to the wife and children of Jessie A. Brown, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be delivered to his wife and each of his children.

On motion of Mr. Fine, the rules were suspended and H. J. R. 16 was adopted.

Also:

By Mr. Fine:

H. J. R. 17. WHEREAS, Victor C. Paul served Lamar County as its Probate Judge in an able and faithful manner for almost eleven years, and

WHEREAS, Victor C. Paul also served as Chairman of the Commissioners Court of Lamar County, Alabama, always performing his duties in a capable and efficient manner, and

WHEREAS, the said Victor C. Paul departed this life on October 12, 1969, and

WHEREAS, his death is a grievous loss to all of the citizens of Lamar County, Alabama, and particularly to the governing body of Lamar County, Alabama, which looked to him for inspiration and leadership, now, therefore,

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the sincere sympathy of the Legislature is extended to the wife and children of Victor C. Paul, and

BE IT FURTHER RESOLVED, that a copy of this Resolution be spread upon the Journals of the Legislature, and a copy of same be delivered to his wife and to each of his children.

On motion of Mr. Fine, the rules were suspended and H. J. R. 17 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 5. Proclaiming Tuesday, February 24, 1970 "Wernher von Braun Day" in Alabama.

Also:

H. J. R. 6. Mourning the death of Police Officer Henry D. Kelley, Jr. of Tuscaloosa, and proclaiming February 20 of each year of "Officer Kelley Day" in Tuscaloosa.

McDOWELL LEE,
Secretary.

STATEMENT OF TOM GLOOR

The following statement of Tom Gloor was ordered to be inserted in the Journal of the House:

To those of you who think their world dropped out from under them when it became apparent no ethics bill would be written in this special session—let me suggest that we slow up just a little, stand back, and look at some facts.

On the last day of the last regular session, September 4, 1969, H. J. R. 157 was passed by this body. This is what it said:

"There is hereby created a joint interim committee on legislative and lobbying ethics. Such joint interim committee shall make a complete study for legislation in the area of legislative and lobbying ethics, prepare adequate legislation to meet the needs in such area and to report to the legislature at its next regular session."

Saturday you received a telegram from the Governor stating that the special session that would convene was for the sole purpose of enacting the New York freedom of choice law. I am sure even on such short notice that the Ethics Committee could have placed into motion an ethics bill last Monday, but, believe me, it would not have been as complete nor as comprehensive as the one that will be introduced on the first legislative day of the next session as directed. We have additional subcommittee reports to handle as well as additional testimony. We have examined and condensed the ethics law of 14 states, and I have personally traveled as far as the capitol of Michigan to observe and listen. The Alabama Bar Association meets this summer in their annual session and will have con-

crete suggestion for the legislator-lawyer relationship. We intend to at least consider these recommendations. The joint interim committee on ethics is made up of nine members: Senators Clark, Engel, Harris, and Pierce, and Representatives Brassell, Dick Owen, Shumate, Stubbs, and myself. I was honored with the chairmanship.

After already hearing hours of testimony, this group admits to having two areas of trouble that truly undermine the Legislative image of these halls in the mind of the public.

1. Conflicts of interest

2. Irresponsible statements and innuendos by irritated lawmakers or by front page news print seekers.

To corner these two areas, we will propose a legislative ethics commission that will be elected by each body and I know you will insist on election of men who are willing to call a spade a spade. Men who are not impressed with big names nor tenure of office. Our highly confidential disclosure statement will do much to correct the conflict of interest angle and it is indeed a fine line. I do not mean a disclosure that pussyfoots, but one where even attorneys will list retainers above a certain amount. Your interim ethics committee wants you to know that we will emphatically enforce the idea that a legislator represents all the people of your area, not just a few people or a special interest group.

I am going to say it like it is about irresponsible statements with two examples. One came late in the last session where an irritated legislator stated on this floor that there were bribe offers being made at that time in the halls. There was another one this morning—A direct quotation from the Birmingham Post-Herald by the Senator sponsoring a legislative ethics bill.

"Those who are opposed to ethical government have outsmarted those who are for it."

Here again is your image hanging out on the front page with no names, merely innuendos. In my estimation, if you get outsmarted down here it is because you have failed to do your homework. It has nothing to do with ethical government nor honesty in government and let me remind you that the same rules are available to everyone. Your committee is in agreement that you do not legislate honestly. However, by using some of our bill's provisions, we will soon discover the dishonest ones without imposing generalized restrictions, which disable the honest legislators as well. Our bill will endeavor to give the legislators the maximum opportunity of honest service to constituents, but will also provide harsh reprimands and penalties where needed, to maintain the high standards of ethics we all want.

Politics as you well know is a pressure game. Too few people even have the courage to run for office in the first place and subject themselves to these pressures and, yes, even ridicule. Every serious vote you make is recorded for the public to see. You make decision after decision. I am of the belief that if these decisions are made with both honesty and independence of judgment you don't need to fear the voters. So don't hang your head over the failure to pass an ethics bill in five days. The purpose of this session will have been attained by this time tomorrow and you can be proud of the accomplishment.

I have taken your time to tell you unequivocally that the interim committee on legislative and lobbying ethics is a serious minded and dedicated group which will present a tough bill as you directed "at its next regular session". We will also propose both rule changes on decorum

and lobbying ethics. Honest government demands this and so do the people of the State of Alabama. Your interim committee will not settle for less.

TOM GLOOR.

ADJOURNMENT

On motion of Mr. Merrill, the House adjourned until 10 o'clock A. M., Friday, February 27, 1970.

FIFTH DAY

House of Representatives
Montgomery, Alabama
Friday, February 27, 1970

The House met pursuant to adjournment.

PRAYER

The session was opened with prayer by Reverend Jim Glaze, Business Manager of Baptist State Executive Board, Headquarters, Montgomery, Alabama.

ROLL CALL

On a call of the roll of the House the following members answered to their names:

Mr. Speaker	Dill	House	Owens (W.E.)
Adwell	Dobbs	Jackson (F)	Paulk
Agee	Doss	Jackson (T)	Pearson
Bank	Downing	Jones	Pennington
Bassett	Drake	Kilgore	Perloff
Beck	Edington	Lemley	Pruitt
Berryman (K)	Ellis	Lybrand	Robertson
Berryman (W)	Fine	Lyons	Sessions
Blanton	Foshee	Malone	Shumate
Bolton	Gafford	Manley	Slate
Bowers	Garrett	Marr	Smith
Brannan	Gloor	Mathews	Snell
Brassell	Graham	Mays	Springer
Brown	Grainger	McCorquodale	Starnes
Burgess	Grayson	McDonald	Steagall
Burgreen	Hain	McElhaney	Stembridge
Cameron	Hardin	McLain	Stubbs
Cherner	Harper	Meade	Tuck
Collier	Harris	Meeks	Turnham
Collins (C)	Haygood	Melton	Waggoner
Collins (W)	Headley	Merrill	Watkins
Cook (Coffee)	Higginbotham	Money	Weeks
Cook (Jefferson)	Hill	Nettles	Williams
Crane	Hobbie	Neville	Wood
Crawford	Holladay	Owen (Baldwin)	Yeilding
Culver	Holman	Owens (W)	Young

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A quorum was present.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fourth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the fourth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fourth legislative day was approved.

RESOLUTIONS

The following resolutions were introduced:

By Messrs. Owen (Baldwin) and Brannan:

H. J. R. 18. Be it Resolved by the Legislature of Alabama, Both Houses thereof concurring, that the gymnasium located at William Lowndes Yancey State Junior College at Bay Minette shall be named, designated and known as the Lathem N. Sibert Gymnasium.

On motion of Mr. Owen (Baldwin), the rules were suspended and H. J. R. 18 was adopted.

Also:

By Messrs. Pennington, Jones and Grainger:

H. J. R. 19. WHEREAS H. B. 36 provides for uniformity in designating county governing bodies in the several counties of this state and

WHEREAS Mr. James Record, Chairman of the Madison County Commission, has worked long and diligently in laying the thorough ground work in securing the endorsement of the various county governing bodies for this bill; his progressive ideas and recognition of the positive values to be gained, as well as the elimination of confusion, which will result from the enactment of this one piece of legislation is indicative of the foresight of Mr. Record; and

WHEREAS Mr. Record is currently serving as second vice-president of the Association of County Commissioners and is expected to be elevated to the first vice-presidency that association in June in recognition of his outstanding services in its behalf; now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we commend Mr. Record for his foresight and most effective work for the best interests of this State and particularly for his services to the Association of County Commissioners.

RESOLVED FURTHER, That copies of this resolution be sent to Mr. Record, to the Association of County Commissioners and to the Huntsville Times.

On motion of Mr. Pennington, the rules were suspended and H. J. R. 19 was adopted.

LEAVE OF ABSENCE

On motion of Mr. Pennington, leave of absence was granted to Mr. Laxson due to personal illness.

BILLS INDEFINITELY POSTPONED

On motion of Mr. Merrill, all pending House bills were indefinitely postponed.

BILLS ON THIRD READING

And the bill:

S. 1. To prevent discrimination on account of race, color, creed or national origin in connection with the education of the children of the State of Alabama.

Was read a third time at length and passed.

Yeas 97; Nays 0.

Yeas:

Mr. Speaker	Dill	Jackson (F)	Paulk
Adwell	Dobbs	Jackson (T)	Pearson
Agee	Doss	Jones	Pennington
Bank	Downing	Kilgore	Perloff
Bassett	Drake	Lemley	Pruitt
Beck	Edington	Lybrand	Robertson
Berryman (K)	Ellis	Lyons	Sessions
Berryman (W)	Fine	Malone	Shumate
Blanton	Foshee	Manley	Slate
Bolton	Gafford	Marr	Smith
Bowers	Garrett	Mathews	Snell
Brannan	Gloor	Mays	Springer
Brassell	Graham	McDonald	Starnes
Brown	Grainger	McElhaney	Stembridge
Burgess	Grayson	McLain	Stubbs
Burgreen	Hardin	Meade	Tuck
Cameron	Harper	Meeks	Turnham
Cherner	Harris	Melton	Waggoner
Collier	Haygood	Merrill	Watkins
Collins (C)	Headley	Money	Weeks
Collins (W)	Higginbotham	Nettles	Williams
Cook (Coffee)	Hill	Neville	Wood
Crane	Hobbie	Owen (Baldwin)	Yeilding
Crawford	Holman	Owens (W)	Young
Culver			

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RESOLUTION

The following resolution was introduced:

By Messrs. Merrill, Fite, Adwell, Agee, Bank, Bassett, Berryman (K), Blanton, Bolton, Bowers, Brannan, Brassell, Brown, Burgess, Burgreen, Cameron, Cherner, Collier, Collins (C), Collins (W), Crane, Crawford, Culver, Dill, Dobbs, Doss, Downing, Drake, Edington, Ellis, Fine, Foshee, Garrett, Gloor, Graham, Grainger, Grayson, Hardin, Harper, Harris, Haygood, Headley, Higginbotham, Hill, Hobbie, Holman, Jackson (F), Jackson (T), Jones, Kilgore, Lemley, Lybrand, Lyons, Malone, Manley, Marr, Mathews, Mays, McDonald, McElhaney, McLain, Meeks, Money, Nettles, Neville, Owen (Baldwin), Owens (W), Paulk, Pearson, Pennington, Perloff, Pruitt, Robertson, Sessions, Shumate, Slate, Smith, Snell, Springer, Starnes, Stembridge, Stubbs, Tuck, Turnham, Waggoner, Watkins, Weeks, Williams, Wood, Yeilding, Young:

H. J. R. 20. WHEREAS, Mrs. Estelle Dean, secretary to the Speaker of the House, and formerly for many years clerk of various Legislative committees including the Ways and Means Committee;

WHEREAS during all the years of her service as a legislative employee Mrs. Dean has been most affable and efficient;

WHEREAS her services have been of inestimable value to the members of the Legislature in serving their constituents; and

WHEREAS Mrs. Dean is ill and has been hospitalized, now therefore,

BE IT RESOLVED BY THE LEGISLATURE, BOTH HOUSES THEREOF CONCURRING, That we hereby thank Mrs. Dean for her many valuable services, for her constant good humor and her innumerable courtesies, and hereby extend to her our heartiest wishes for a speedy recover. We sincerly hope that her hospital stay will be brief and her recovery quick and complete.

On motion of Mr. Merrill, the rules were suspended and H. J. R. 20 was adopted.

RECESS

On motion of Mr. Merrill, the House recessed for one hour until 11:15 o'clock A. M.

HOUSE RECONVENED

The hour of 11:15 A. M. having arrived, the House reconvened. The Speaker called the House to order.

UNANIMOUS CONSENT GRANTED

At the request of Messrs. Tuck and Williams, unanimous consent was granted for the Journal to show they were out of chambers when the vote was taken on H. 81, and had they been present they would have voted Yea.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 15. Relative to an orientation session for new members of each Legislature.

Also:

H. J. R. 18. Naming the gynasium at William Lowndes Yancey State Junior College the Lathem N. Sibert Gymnasium.

Also:

H. J. R. 19. Relative to commending Mr. James Record, Chairman of the Madison County Commission, on his outstanding work in the field of uniformity in designating county governing bodies in the several counties of this state.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 73. To amend the title to and Sections 1, 3 and 5 of Act No. 79 adopted at the First Special Session of 1959 of the Legislature of Alabama so as to provide that warrants issued pursuant to Senate Act may at the option of the governing body of the county or municipality issuing such warrants constitute limited obligations of such county or municipality payable solely out of a specified tax, so as to increase the maximum permissible interest rate that may be borne by any warrants issued under the provisions of the said act, and so as to make the said act apply to any educational facility of any state institution of higher learning above the secondary school classification.

Also:

H. 32. To authorize the awarding of reasonable attorney's fees in domestic relations cases where a contempt of court citation is made.

Also:

H. 30. To amend Code of Alabama 1940, Title 13, Section 397 relative to the civil jurisdiction of the justices of the peace.

McDOWELL LEE,
Secretary.

RESOLUTIONS

The following resolutions were introduced:

By Mr. Turnham:

H. J. R. 21. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That that part of U. S. Highway 280 running from Opelika to Birmingham be designated and known as the "War Eagle Highway"; and the State Highway Department shall cause appropriate signs and markers to be erected along said highway so designating it.

On motion of Mr. Turnham, the rules were suspended and H. J. R. 21 was adopted.

Also:

By Messrs. Watkins, Gafford, Kilgore, Cook (Jefferson), Jackson (F), Money, Holman, Waggoner, Ellis, Stubbs and Owen (Baldwin):

H. J. R. 22. WHEREAS, the Senate of the United States on July 28, 1945, ratified the Charter of the United Nations, and

WHEREAS, from and after the effective date of that Act the State of Alabama was made a member of the United Nations,

NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF ALABAMA, THE SENATE CONCURRING, said ratification is hereby rescinded, revoked and held for naught; and ALL ACTS and parts of ACTS designed and intended to carry out such membership of the State of Alabama in the United Nations are hereby repealed.

BE IT FURTHER RESOLVED That a certified copy of this Resolution be forwarded by the Secretary of State to the President of the United States Senate, the Speaker of the House of Representatives, and to each Member of Congress from the State of Alabama.

On motion of Mr. Watkins, the rules were suspended and H. J. R. 22 was adopted.

INFORMAL RECESS

The Speaker declared the House in informal recess until one o'clock P. M.

HOUSE RECONVENED

The hour of one o'clock P. M. having arrived, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 81. To amend Act No. 91, H. 22, Special Session 1969, Section 4, paragraph H (Acts 1969, p. 136) entitled "An Act to make annual appropriations for the support, maintenance and development of public education in Alabama for each of the fiscal years ending September 30, 1970 and September 30, 1971", so as to provide for certain teacher salary increases from the Minimum Program Fund.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 1. To prevent discrimination on account of race, color, creed or national origin in connection with the education of the children of the State of Alabama.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 5. To allow prospective jurors to be excused without the presence of the defendant in the Seventh Judicial Circuit of Alabama.

Also:

H. 11. Authorizing the county governing body of counties of not less then 25,600 population nor more than 25,700 population according to the most recent federal decennial census to make an appropriation of county funds for the relief of Walter Popwell to compensate for certain damages.

Also:

H. 14. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing for the salary increases of the jailers in such counties.

Also:

H. 16. To amend further Act No. 413, H. 421 of the 1966 Special Session (Acts, 1966, p. 559), entitled "An Act relating to counties having populations of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; authorizing the constable serving the county court to appoint a deputy constable; providing for the term, duties and salary of such deputy constable," relative to the compensation of such constable.

Also:

H. 43. To fix the fee for issuance of pistol permits in any county having a population of not less than 20,050 nor more than 21,850 according to the most recent federal decennial census; providing for the deposit of such fees; and to create a fund to be designated the Sheriff's Fund; and providing for the use of such fund for law enforcement purposes; and to validate prior collections and expenditures from such collections.

Also:

H. 46. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing for the salary of the Register in Chancery in such counties.

Also:

H. 47. Applicable to those counties in the State having a population of not less than 300,000 nor more than 600,000 inhabitants according to the last or any subsequent Federal census; to authorize each such county to make appropriations to any State institution of higher learning for the payment of all or any part of the costs of any educational building or other educational facility of such institution; to authorize any such county to issue interest-bearing warrants for the purpose of paying all or any part of the cost of any educational building or other educational facility of a State institution of higher learning; to authorize the governing body of each such county to prescribe the terms and provisions of such warrants; and to provide that this act shall be cumulative and severable.

Also:

H. 48. Applicable to those municipalities in the State having a population of not less than 200,000 nor more than 300,000 inhabitants according to the last or any subsequent Federal census; to authorize each such municipality to make appropriations to any State institution of higher learning for the payment of all or any part of the cost of any educational building or other educational facility of such institution; to authorize any such municipality to issue interest-bearing warrants for the purpose of paying all or any part of the cost of any educational building or other educational facility of a State institution of higher learning; to authorize the governing body of each such municipality to prescribe the terms and provisions of such warrants; and to provide that this act shall be cumulative and severable.

Also:

H. 57. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 3, Township 16 North, Range 18 East, Montgomery County, Alabama.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 58. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 6 and 7, Township 16 North, Range 19 East, and Sections 1 and 12, Township 16 North, Range 18 East, Montgomery County, Alabama.

Also:

H. 59. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 29 and 30, Township 17 North, Range 18 East, Montgomery County, Alabama.

Also:

H. 63. To permit banks having principal place of business in cities having a population according to the most recent federal decennial census of not less than 10,230 nor more than 10,260 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such city in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of general banking and trust business, by and with the written consent of the state superintendent of banks.

Also:

H. 66. To alter, re-arrange and extend the boundaries and corporate limits of the town of Harpersville so as to incorporate certain territory as described herein.

Also:

H. 70. Relating to counties having populations of not less than 10,800 nor more than 13,000, counties having populations of not less than 19,000 nor more than 19,500, and counties having populations of not less than 65,000 nor more than 96,000; to confer additional authority upon such counties in relation to the construction, leasing, maintenance, and operation of detention homes for lodging juveniles and persons confined on orders of juvenile court judges in such counties.

Also:

H. 71. Relating to counties having populations of not less than 65,000 nor more than 95,000; to authorize an appropriation from the county treasury to construct or acquire, or to aid in the construction or acquisition of a place of detention for juveniles or other persons ordered confined by the juvenile court judge.

Also:

H. 27. To apply in all counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census; to provide an allowance to the circuit clerk of such counties for clerical assistance.

Also:

H. 72. Relating to all counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal

decennial census; fixing the amount of compensation and expense allowances payable to the board of equalization, the jury commission, and the board of registrars in such counties.

Also:

H. 74. Relating to counties having a population of not less than 24,800, nor more than 25,400 according to the most recent federal decennial census; by amending Act #837, H. 1106, Regular Session of the Alabama Legislature 1969, to provide for the number of working days and compensation of the members of the County Board of Equalization in said counties; and providing that this Act shall become effective only if approved at a referendum held in the county affected.

Also:

H. 75. Relating to counties having a population of not less than 24,800, nor more than 25,400 according to the most recent federal decennial census; by amending Act #515 H. 1028, Regular Session of Legislature 1969.

Also:

H. 78. To apply in all counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census, to increase the salary of the coroner in such counties.

Also:

H. 79. To provide for eligibility to hold public office in all counties having a population of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census.

Also:

H. 80. Relating to all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; providing for the salary of the chief deputy sheriff in such counties.

Also:

H. 82. Relating to the twenty-sixth judicial circuit, authorizing the city commission of any city therein to establish a special fund and appropriate public funds thereto for the use of the district attorney for certain purposes.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 44. To provide for the incorporation of Districts, as public corporations, for the purpose of furnishing water service, sanitary sewer service, and fire protection service, or any thereof, upon the filing of an application with, and the authorization of such incorporation by, the governing body of each county and municipality within which any such District is to be authorized to furnish any of such services; to provide that the service area specified in the original certificate of incorporation of any such District shall lie wholly within the boundaries of the county or counties by the governing bodies of which the incorporation of such District was authorized and that no part of said service area shall lie within the boundaries of any municipality by the governing body of which such incorporation was not authorized; to provide for the amend-

ment of the certificate of incorporation of any such District for the purpose of extending the service area, and for other purposes, at any time and from time to time, upon the filing of applications with, and the authorization of each such amendment by, the governing bodies of each county and municipality in which any part of the then existing or proposed service area of such District lies; to provide for the election and compensation of directors of any such District; to provide for the powers, authorities and duties of any such District and its board of directors; to authorize any such District to acquire, construct, operate, improve and finance one or more water-works plants, water distribution systems, sanitary sewer systems, or fire protection facilities, or any combination of any thereof; to confer on any such District the power of eminent domain; to authorize any such District to employ officers, employees and agents without regard to any provisions of Act No. 217 (1967 Special Session), as amended, that might otherwise be applicable; to make provisions respecting the establishment, revision, and collection of charges for water service, sewer service and fire protection service, or any thereof, rendered by it; to provide for the issuance by any such District for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any one or more of the systems and facilities, or any thereof, of such District, without regard to the system or systems or facilities with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable instruments; to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such District for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the system or facilities out of the revenues from which such securities are payable, and to provide that any revenue securities of the District may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by a District of obligations respecting systems and facilities, or parts thereof, acquired by the District; to provide for the use of the proceeds of any revenue securities issued by a District; to provide for the refunding, by the issuance of revenue securities of a District, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such District pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration, transfer any water system, sewer system, fire protection facility, or other property to any such District; to provide that the rendition by any such District of fire protection service is a governmental function and to exempt such District from all tort liability in connection with fire protection service or facilities; to exempt the property and income of any such District, and all securities issued by any such District and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such District is a party from all taxation in the state, to exempt every such District from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such District from payment of certain charges to Judges of Probate; to provide that each such District shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by any such District; and to provide for the dissolution of any such District and the disposition of its property.

Also:

H. 62. To amend Act No. 567, S. 124, Regular Session 1969 (Acts 1969, p. 1049) so as to reduce the period of service required for supernumerary district attorneys.

Also:

H. 36. To provide for uniformity in designating county governing bodies in the several counties of this state.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 7. To amend Section 37 of Title 52 of the Code of Alabama of 1940, as heretofore amended.

Also:

H. 8. To permit persons, firms, corporations not organized for profit, the state board of education and the trustees of all state institutions where education is a part of the program of the institution, partnerships and associations when borrowing money in amounts of not less than $100,000 to pay such rates of interest not to exceed the rate of fifteen percent per annum on the loan or forbearance of money as such borrower may agree to pay without regard to any provision of law limiting interest rates, and denying to such borrower and to others who may become liable thereon the right to claim or raise the defense of usury.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 42. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Smith, the House concurred in and adopted the Senate amendment to the bill, H. 42, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To further amend Act No. 288, approved July 7, 1945 (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 1 of Act No. 288, approved July 7, 1945, an act providing for appointment and designation of supernumerary circuit judges (General Acts 1945, p. 478), as amended, is amended further to read as follows:

"Section 1. Any circuit judge, or former circuit judge of this state:

"(a) who has served continuously for twelve years as circuit judge and/or district attorney, and/or circuit solicitor and/or as judge of a court of record (provided that not more than three years service as a judge of a court of record shall be included in the total number of years served); and who has become physically unable to carry out his duties on a full time basis, proof of such disability being made by certificate of three reputable physicians; or

"(b) who has served continuously for fifteen years as circuit judge and/or district attorney, and/or circuit solicitor, and/or judge of a court of record (provided that not more than three years service as a judge of a court of record shall be included in the total number of years served); and who is not less than sixty-two years of age; or, who has served as such continuously for more than fifteen years and has attained age 62 less one year for each year of service in excess of 15; or

"(c) who has served continuously for ten years as circuit judge and/or district attorney, and/or circuit solicitor and/or as judge of a court of record (provided that not more than three years service as a judge of a court of record shall be included in the total number of years served); and who is not less than seventy years of age; or

"(d) who has served in that office and/or as circuit solicitor, and/or as district attorney, and/or as a judge of a court of record (provided that not more than three years service as a judge of a court of record shall be included in the total number of years served); for not less than 24 years, or for not less than four terms, the last 10 years of such service having been continuous, may elect to become a supernumerary circuit judge of the State by filing a written declaration to that effect with the Governor at any time not more than 90 days prior to the end of the 24 year period; or

"(e) who has served continuously for not less than fifteen years as circuit judge and/or as judge of a court of record and who is not less than seventy years of age; or

"(f) who has served continuously for not less than eighteen years as a circuit judge; may elect to become a supernumerary circuit judge of the State by filing a written declaration to that effect with the Governor. If the Governor shall find that any such declarant qualified under either subdivision (a), (b), (c), (d), (e), or (f), hereinabove set forth, a commission as supernumerary circuit judge of the State of Alabama shall thereupon be issued to such declarant by the Governor. Should an office of circuit judge be made vacant by the election of such declarant it shall be filled by appointment of the Governor as now provided by law. This section shall apply only to circuit judges who have been elected to that office."

Section 2. All laws or parts of laws which conflict with this Act are repealed.

Section 3. The provisions of this Act are severable. If any part of this Act is declared invalid or unconstitutional, such declaration shall not affect the part which remains.

Section 4. This Act shall become effective upon its passage and approval by the Governor or upon its otherwise becoming law.

Yeas 66; Nays 0.

Yeas:

Mr. Speaker	Fine	Lyons	Pearson
Adwell	Foshee	Malone	Perloff
Bassett	Gafford	Manley	Pruitt
Berryman (K)	Garrett	Marr	Sessions
Bolton	Gloor	Mays	Shumate
Bowers	Graham	McDonald	Slate
Brannan	Grainger	McElhaney	Smith
Brassell	Hardin	McLain	Springer
Burgess	Harper	Meeks	Starnes
Burgreen	Hobbie	Merrill	Tuck
Collins (C)	Holman	Money	Turnham
Collins (W)	Jackson (F)	Nettles	Waggoner
Crawford	Jackson (T)	Neville	Williams
Dill	Jones	Owen (Baldwin)	Wood
Dobbs	Kilgore	Owens (W.E.)	Yeilding
Doss	Lemley	Paulk	Young
Downing	Lybrand		

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And the bill, H. 42, as thus amended, was read a third time at length and passed.

Yeas 70; Nays 0.

Yeas:

Mr. Speaker	Dobbs	Lemley	Paulk
Adwell	Doss	Lybrand	Pearson
Agee	Downing	Lyons	Pennington
Bank	Fine	Malone	Perloff
Bassett	Foshee	Manley	Pruitt
Berryman (K)	Garrett	Marr	Sessions
Bolton	Gloor	Mays	Shumate
Bowers	Graham	McDonald	Slate
Brannan	Grainger	McElhaney	Smith
Brassell	Hardin	McLain	Starnes
Burgess	Harper	Meeks	Tuck
Burgreen	Harris	Merrill	Turnham
Cameron	Hobbie	Money	Watkins
Cherner	Holman	Nettles	Williams
Collins (C)	Jackson (F)	Neville	Wood
Collins (W)	Jackson (T)	Owen (Baldwin)	Yeilding
Crawford	Jones	Owens (W.E.)	Young
Dill	Kilgore		

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MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. Cooper, Albea, Bailes, Branyon, Carr, Childs, Clark, Dominick, Engel, Folsom, Giles, Gilmore, Givhan, Goodwyn, Harris, Hawkins, Jackson, Leonard, Lindsey, Lolley, McCarley, Morrow, Nabors, O'Bannon, Oden, Pelham, Pierce, Radney, Skidmore, Stone, Torbert, Turner, Vacca:

S. J. R. 9. WHEREAS, Mrs. Jesse Earl Speight, the widow of the

late beloved Jesse Earl Speight, former Secretary of the Senate, died on November 15, 1969, after a long illness; and,

WHEREAS, Mrs. Speight was a gracious and lovely lady who shared with her late husband the friendship and respect of many former and present members of the Legislature, and,

WHEREAS, Her gracious manner endeared her to all with whom she came in contact, as well as to her many friends; now, therefore,

BE IT RESOLVED BY THE SENATE OF ALABAMA, THE HOUSE OF REPRESENTATIVES CONCURRING, That the death of Mrs. Speight is deeply mourned;

BE IT FURTHER RESOLVED That a copy of this resolution be sent to Mrs. Speight's daughter, Mrs. James W. Worthington, Enrolling Clerk of the Senate.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Springer, the rules were suspended and the House concurred in and adopted the S. J. R. 9 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The following members of the Senate have received unanimous consent to have their names added as co-sponsors of the Bill, S. B. 1: Messrs. Dominick, Goodwyn and McDermott.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Bill, your signature thereto is requested:

S. 1. TO PREVENT DISCRIMINATION ON ACCOUNT OF RACE, COLOR, CREED OR NATIONAL ORIGIN IN CONNECTION WITH THE EDUCATION OF THE CHILDREN OF THE STATE OF ALABAMA.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE BILL

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bill, the title of which is set out in the above and foregoing Message from the Senate.

UNANIMOUS CONSENT GRANTED

At the request of Mr. Shumate, unanimous consent was granted that he be shown as a co-sponsor of the bill, H. 81.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Clark:

S. J. R. 12. BE IT RESOLVED BY THE SENATE, THE HOUSE OF REPRESENTATIVES CONCURRING, that the printed Journals and Acts of the Special Session of the Legislature of 1970 be bound respectively with the printed Journals and Acts of the Regular Session of 1969.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Smith, the rules were suspended and the House concurred in and adopted the S. J. R. 12 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

I have been directed by the Senate to notify the House that Senator James S. Clark has resigned as a member of the Joint Interim Committee on Legislative and Lobbying Ethics.

And the President and Presiding Officer of the Senate has appointed Senator Pierre Pelham to the vacancy hereby created on the said Joint Interim Committee on Legislative and Lobbying Ethics.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

I have been directed by the Senate to notify the House that Senator Pierre Pelham has resigned as a member of the Interim Committee on Mental Health.

And the President and Presiding Officer of the Senate has appointed Senator James S. Clark to the vacancy hereby created on the said Interim Committee on Mental Health.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 28. To amend Section 7 of Act No. 775 enacted at the 1951 Regular Session of the Legislature of Alabama; which Act relates to Boards of Water and Sewer Commissioners.

McDOWELL LEE,
Secretary.

RECESS

The Speaker declared the House in recess until 2:10 o'clock P. M.

HOUSE RECONVENED

The hour of 2:10 o'clock P. M. having arrived, the House reconvened. The Speaker called the House to order.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 45. To amend Code of Alabama 1940, Title 17, Section 198 so as to provide further for the compensation and mileage allowance of election officers.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 3. To levy a privilege or license tax on non-resident live fish and minnow dealers; to provide for the distribution of all monies accruing under the provisions of this act; to provide a penalty for the violation of any provision of this act.

Also:

H. 9. To appropriate $120,000.00 to the State Board of Education for payment of prior obligations of the State of Alabama for Regional Education for fiscal years ending September 30, 1968 and September 30, 1969; and to provide that the said appropriation shall be paid from amounts heretofore appropriated to the State Board of Education for Regional Education for fiscal year ending September 30, 1970 by Act No. 91, Special Session 1969, approved May 14, 1969.

Also:

H. 13. Relating to taxation, making further exemptions from State sales and use taxes.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 15. Relating to taxation: To exempt drugs and medications, vitamins, minerals, and other nutrients used in the production of livestock and poultry from the State sales and use tax.

Also:

H. 33. To amend Section 2, III (47) of Act No. 995, 1969 Regular Session, entitled "To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools."

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 21. Naming a portion of US Highway 280 the "War Eagle Highway".

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Carr:

S. J. R. 8. WHEREAS, Senator Kyser Leonard who has served in the Legislature of Alabama for a total of five terms, two as a member of the House and three as a member of the Senate, has announced his intention not to seek reelection; and

WHEREAS, during Senator Leonard's many years in the Legislature he has always been an able and efficient legislator, who was tireless in his efforts to further the welfare and progress of not just his home county, Talladega, but of the entire State; and

WHEREAS, Mr. Leonard has won the love and respect of his colleagues by his fair and open-minded approach to legislative problems and his strict adherence to and belief in sound principles of government, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we shall miss our personable friend and colleague, Senator Kyser Leonard, and hope that retirement from the Legislature will bring much happiness and satisfaction to him.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Smith, the rules were suspended and the House concurred in and adopted the S. J. R. 8 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns same herewith to the House:

H. J. R. 14. Commending the members of the Talladega County School Board, the Talladega City School Board, and the Sylacauga City School Board and other educators in Talladega County.

Also:

H. J. R. 16. Mourning the death of Jessie A. Brown, Commissioners Court Clerk of Lamar County.

Also:

H. J. R. 17. Extending sympathy to the family of Victor C. Paul, Probate Judge of Lamar County.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolution and returns same herewith to the House:

H. J. R. 20. Extending best wishes for the early recovery of Mrs. Estelle Dean, Secretary to the Speaker of the House.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Cooper:

S. J. R. 16. WHEREAS Senator W. E. Oden who has served in the Legislature of Alabama for a total of twenty years, twelve as a member of the House and eight as a member of the Senate, has announced his intention not to seek reelection; and

WHEREAS during Senator Oden's many years in the Legislature he has ably and efficiently represented not just his home county, Franklin, and his district but he has also served the entire State; and

WHEREAS Mr. Oden has won the love and respect of his colleagues by his amiable manner and his tireless efforts to further education, improve the general welfare and promote the fine developments of the State, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we shall miss our likeable friend and colleague, Senator W. E. Oden, and hope that retirement from the Legislature will bring him much pleasure.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Merrill, the rules were suspended and the House concurred in and adopted the S. J. R. 16 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 34. Establishing the Historic Chattahoochee Commission as a state agency to identify, acquire, own, transport, renovate, maintain, and exhibit historic or military articles, exhibits and attractions; prescribing the authority, powers, duties and functions of the Commission and its members, officers, and committees.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Neville, the House concurred in and adopted the Senate amendment to the bill, H. 34, said Senate amendment being as follows:

Amend the title of House Bill 34 by striking the period at the end thereof and adding the following: "; and making an appropriation therefor.

Also, strike out Section 2 in its entirety and insert in lieu thereof the following:

"Section 2. The commission created herein shall consist of eight members, to be appointed by the Governor, who shall be bona fide residents and qualified voters of this State, of whom at least two shall be residents of Barbour County, one shall be a resident of Russell County, one shall be a resident of Henry County, and four shall be members at large from the above or any other counties in the state. Said members at large shall be selected from a list of eight persons submitted by the Eufaula Heritage Association. In addition, the Governor shall appoint four non-voting advisory members who shall be residents of Georgia counties which border Alabama and touch the Chattahoochee River. The terms of the members and advisory members of the first Commission shall be designated by the Governor as four years for one half of the members and advisory members and eight years for the remaining members and advisory members. After the expiration of the terms of the initial members, all member and advisory members shall be appointed for terms of eight years each.

All members and advisory members shall serve until their successors are appointed and qualified, but any member or advisory member may be removed by the Governor for just cause. Vacancies shall be filled by the members of the commission. The first chairman of the commission shall be designated by the Governor from among the original appointees. Thereafter, each succeeding chairman shall be selected by the members of the commission. Members of the commission shall serve without compensation but shall be entitled to reimbursement for actual expenses incurred in the performance of the duties of the commission.

Also, insert between Section 11 and Section 12 the following Section:

"Section 12. There is hereby appropriated from the State Treasury the sum of $10,000 to carry out the provisions of this Act.

Also, renumber the remaining sections in numerical order.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Doss	Kilgore	Pruitt
Adwell	Downing	Laxson	Robertson
Bank	Drake	Lemley	Sessions
Bassett	Ellis	Manley	Shumate
Beck	Fine	Mathews	Slate
Berryman (K)	Foshee	McDonald	Smith
Berryman (W)	Gafford	McLain	Snell
Brassell	Gloor	Meade	Springer
Brown	Graham	Meeks	Starnes
Burgess	Grainger	Melton	Stembridge
Burgreen	Harper	Merrill	Tuck
Cameron	Harris	Money	Turnham
Cherner	Headley	Nettles	Waggoner
Collier	Hobbie	Neville	Watkins
Collins (C)	Holladay	Owens (W)	Weeks
Crane	Holman	Paulk	Williams
Crawford	Jackson (T)	Pearson	Yeilding
Culver	Jones	Pennington	Young
Dobbs			

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And the bill, H. 34, as thus amended:

H. 34. Establishing the Historic Chattahoochee Commission as a state agency to identify, acquire, own, transport, renovate, maintain, and exhibit historic or military articles, exhibits and attractions; prescribing the authority, powers, duties and functions of the Commission and its members, officers, and committees; and making an appropriation therefor.

Was again read a third time at length and passed.

Yeas 73; Nays 0.

Yeas:

Mr. Speaker	Doss	Kilgore	Pruitt
Adwell	Downing	Laxson	Robertson
Bank	Drake	Lemley	Sessions
Bassett	Ellis	Manley	Shumate
Beck	Fine	Mathews	Slate
Berryman (K)	Foshee	McDonald	Smith
Berryman (W)	Gafford	McLain	Snell
Brassell	Gloor	Meade	Springer
Brown	Graham	Meeks	Starnes
Burgess	Grainger	Melton	Stembridge
Burgreen	Harper	Merrill	Tuck
Cameron	Harris	Money	Turnham
Cherner	Headley	Nettles	Waggoner
Collier	Hobbie	Neville	Watkins
Collins (C)	Holladay	Owens (W)	Weeks
Crane	Holman	Paulk	Williams
Crawford	Jackson (T)	Pearson	Yeilding
Culver	Jones	Pennington	Young
Dobbs			

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RESOLUTIONS

The following resolutions were introduced:

By Mr. Neville:

H. J. R. 23. WHEREAS, the fifth annual Eufaula Pilgrimage will be held on April 2-5, 1970; it has been designated one of the 20 top travel events in the nation for the last 3 years; and

WHEREAS, the Eufaula Pilgrimage dramatizes the historic preservation movement in Alabama and the nation; through the pilgrimage movement the Sheppard Cottage of the 1840's and the Greek revival Shorter Mansion have been preserved and restored;

NOW, THEREFORE, BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, Both Houses thereof concurring, That we declare April 2-5, 1970 to be Eufaula Pilgrimage Days in Alabama, and we recommend to all citizens of Alabama and the nation that they visit the Eufaula Pilgrimage to see the high concentration of homes of victorian and antebellum architecture and to enjoy a scenic visit with Alabama's heritage.

On motion of Mr. Neville, the rules were suspended and H. J. R. 23 was adopted.

Also:

By Mr. Marr:

H. J. R. 24. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That there shall be hereby established a permanent standing legislative committee on Standards of Official Conduct in each house of the Legislature. The committee in the Senate shall consist of five senators appointed by the presiding officer of the Senate, and the committee in the House of Representatives shall consist of seven members of the House of Representatives appointed by the Speaker. Each of the committees, hereby established, shall be invested with the following specific powers:

1. To have referred to them measures relating to a code of official conduct or amendment thereto, together with any measures relating to financial disclosures required by members of the respective houses.

2. To recommend to the respective houses of the legislature, from time to time, such legislative or administrative actions as the committee may deem appropriate to establish and enforce standards of official conduct for members of the respective houses.

3. To investigate, subject to limitations herein recommended, any alleged violations by a member of the respective house, of the code of official conduct for such house, or of any law, rule, regulation, or other standard of conduct applicable to the conduct of such member in the performance of his official duties or the discharge of his responsibilities as a legislator, and, after notice and a hearing, at which the accused member must be given the opportunity to appear with counsel and present evidence and cross examine witnesses appearing against him to recommend to the respective house, by resolution or otherwise, such action and the procedure for such action as the committee may deem appropriate in the circumstances.

4. To give consideration to the request of a member of the respective house for an advisory opinion with respect to the general propriety of any current or proposed conduct of a member, and, with appropriate deletions to assure the privacy of the individual concerned, to publish such opinions for the guidance of other members.

However, the following limitations are hereby placed on the authority of each of such committees:

1. No resolution, report, recommendation or advisory opinion relating to the official conduct of a member of the house of the legislature involved shall be made, and no investigation of such conduct shall be undertaken, unless approved by an affirmative vote of the majority of the members of the committee.

2. Except in the case of an investigation undertaken by the committee on its own initiative, the committee may undertake an investigation relating to the official conduct of an individual member only (a) upon receipt of a complaint, in writing, made by a member of the respective house and delivered to the committee by the member making such complaint, or (b) upon receipt of a complaint from an individual non-legislator, in writing and under oath, submitted to a member of the house as to which the complaint relates and transmitted to a committee by a member of the house to which the complaint relates, or (c) upon receipt of a complaint, in writing and under oath, directly from an individual not a member of either house of the legislature if the committee finds that such complaint has been submitted by such individual to no less than two members of that house as to which the complaint relates which members must be fully identified by the complaining party and where such members have refused to transmit such complaint to the committee.

3. No investigation shall be undertaken of any alleged violation of a law, rule, regulation, or standard of conduct not in effect at the time of the alleged violation.

4. A member of the committee shall be ineligible to participate as a member of the committee, in any committee proceeding relating to his official conduct. In any case in which a member of the committee is ineligible to act as a member of the committee under the preceding sentence, the presiding officer of the respective house shall designate a member of that house to act as a member of the committee in any committee proceeding relating to the official conduct of such ineligible member.

BE IT FURTHER RESOLVED That a Code of Official Conduct for Legislators, as follows, is hereby established:

1. A member of the Legislature of Alabama shall conduct himself at all times in a manner which will reflect creditably on the Legislature of Alabama.

2. Every member of the Legislature of Alabama shall adhere to the spirit and letter of the rules of the respective houses of the Legislature of Alabama and to the rules of duly constituted committees thereof, including committees on Standards of Official Conduct.

3. No member of the Legislature of Alabama shall receive any compensation nor shall he permit any compensation to accrue to his beneficial interest, the receipt of which would occur by virtue of influence exerted from his position in the Legislature and where such compensation is to any degree conditioned upon such exertion of influence.

4. No member of the Legislature shall knowingly solicit, accept or receive any gift, thing of economic value, or compensation other than that to which he is entitled from the State, which is intended to influence the performance of his official duties or which would influence the performance of his official duties nor shall any member solicit, accept or receive such gift, thing of economic value, or compensation for advocating the passage or defeat of any legislation or for doing any act intended to influence the passage or defeat of legislation, including his vote thereon. No member of the Legislature shall accept any gift or thing of substantial economic value, directly or indirectly, from any person, organization or corporation having a direct interest in legislation before the Legislature of Alabama.

Gift, as used in this section, shall include any thing of economic value with the exception of public awards, insignificant nonpecuniary

gifts or compensation or gifts not connected with or related to either the legislative processes or the donee's services as a member of the Legislature, nor shall gift or thing of economic value mean any food, drink or refreshments consumed by any official, including reasonable transportation and entertainment incident thereto while a personal guest of the person providing such.

5. No member of the Legislature shall accept employment or engage in any business or professional activity which will require him to disclose confidential information which he has gained by reason of his official position or authority, nor shall a member of the Legislature use confidential information acquired by him in the course of his official duties to further his personal interests.

6. If a member of the Legislature shall receive any compensation, or enter into any agreement with any person, organization or corporation or other entity for compensation for services rendered or to be rendered, for assisting such entity in any way in any transaction involving the State of Alabama or any of its officials, agencies or departments, including representation in hearings before State agencies, boards, or commissions, but excluding all courts, he shall, within thirty days after the receipt of such compensation or entry into an agreement for the receipt of such compensation, file with the Committee on Standards of Official Conduct of the respective house of the Legislature of which he is a member, a written statement describing such representation as required by that part of the Code of Official Conduct for legislators relating to financial disclosures.

RESOLVED FURTHER That, in addition to complying with the above prescribed Code of Official Conduct, each member of the legislature shall, not later than April 30 following the date of their election if they are elected in a general election year, or within four (4) months following their election other than in a general election, and each year thereafter during their term of office not later than April 30, file with the Committee on Standards of Official Conduct of the respective houses of the Legislature a report disclosing certain financial interests as described below. The interest of a spouse or any other party, if constructively controlled by the person reporting, shall be considered to be the same as the interest of the person reporting. The report shall be in two parts, hereinafter designated Part "A" and Part "B".

Part "A"

1. List the name, instrument of ownership, and any postion of employment held in any business entity doing business with the State of Alabama or any of its agencies or departments where the gross receipts for products, goods or services sold, furnished or supplied by such business entity to the State of Alabama or any of its agencies or departments, exceeds $5,000 in any one calendar year, where the ownership by the legislator in such business entity is in excess of $3,000 as of the date of filing, or where the legislator received $1,000 or more as income from such business during the preceding calendar year. Do not list any time or demand deposit in a financial institution or any debt instrument having a fixed yield unless it is convertible to an equity instrument.

2. List the name, address and type of practice of any professional organization in which the person reporting, or his spouse, is an officer, director or partner, or serves in any advisory capacity, from which income of $1,000 or more was received during the preceding calendar year.

(a) If the professional organization in which the person reporting or his spouse is an officer, director or partner, or serves in any advisory

capacity, has, during the preceding calendar year, received any compensation or entered into any agreement whereby compensation would be received, for services rendered or to be rendered, as a retainer, or otherwise, from any trade organization, association or professional association, or from any person, firm or corporation whose regular business activities, as distinguished from mere licensing to do business, is subject to regulation and examination by a regulatory agency of the State of Alabama, and where such compensation to such professional organization during the preceding calendar year from any such trade organization, association or professional association, or corporation or other business entity exceeded the sum of $1,000, then the person so reporting shall list the name and address of such trade organization, association, professional association, corporation or other business entity.

3. List the source of each of the following items received during the preceding calendar year:

(a) Any income for services rendered exceeding $5,000.

(b) Any capital gain of a single source exceeding $5,000 other than from the sale of a residence occupied by the person reporting. Information filed under Part "A" shall be maintained by the Committee on Standards of Official Conduct and made available at reasonable hours to responsible public inquiry, subject to such regulations as the committee may prescribe, including, but not limited to, regulations requiring identification by name, occupation, address and telephone number of each person examining information filed under Part "A" and regulations requiring the committee promptly to notify each legislator of each instance of an examination of information filed under Part "A" by such member.

Part "B'

1. List the fair market value (as of the date of filing) of each item listed under Paragraph 1 of Part "A" and the income derived therefrom during the preceding calendar year.

2. List the amount of income derived from each item listed under Paragraph 2 of Part "A", and the amount of income to the professional organization of which the person reporting, or his spouse, is an officer, director or partner or serves in any advisory capacity listed under Paragraph 2 (a), Part "A", during the preceding calendar year.

The information filed under Part "B" shall be sealed by the person filing and shall remain sealed unless the Committee on Standards of Official Conduct, pursuant to its investigative authority, determines by a vote of not less than two-thirds of the members of the committee that the examination of such information is essential in an official investigation by the committee and promptly notifies the member concerned of any such determination. The committee may, by a vote of not less than two-thirds of the entire membership, make public any portion of the information unsealed by the committee under the preceding sentence and which the committee deems to be in the public interest.

Any person required to file a report who has no interests covered by the above provisions shall file a report so stating.

In any case in which a person required to file a sealed report under this Part "B" is no longer required to file such a report, the committee shall return to such person, or his legal representative, all sealed reports filed by such person under Part "B" and remaining in the possession of the committee.

Further Disclosures

Any member of the Legislature who shall receive any compensation or enter into any agreement with any person, firm or corporation or other business entity for compensation for services rendered or to be rendered, for assisting any such person, firm or corporation or other business entity in any way in any transaction involving the State of Alabama or any of its officials, agencies or departments, and shall be required to disclose such under Paragraph 6 of the Code of Official Conduct for Legislators, he shall file with the Committee on Standards of Official Conduct within thirty days after the receipt of such compensation, or entry into agreement for such compensation a statement, in writing, disclosing the following: (1) The name and address of the person, firm or corporation or other business entity from which such compensation has been or will be received; (2) Whether or not the compensation so received, or contracted to be received, exceeds $100 if the precise amount of such compensation has been fixed, and, if not, state the basis on which such compensation is to be computed; and (3) The identification of the state agency, board or commission or official before whom the legislator will appear or with whom the legislator will deal in any transaction for the compensation so paid or to be paid to him. No specific form for the disclosure of the foregoing information is required, but a letter containing the required information shall be sufficient. Such information filed under this "Further Disclosure" provision shall be maintained by the Committee on Standards of Official Conduct, and made available to responsible public inquiry in the same manner and upon the same conditions as the disclosures required in Part "A" of Financial Disclosures.

And the resolution, H. J. R. 24, was read and referred to the Standing Committee on Rules.

Alsc

By Mr. Beck:

H. R. 25. WHEREAS our good friend and colleague Representative Ralph Meade of Cherokee County has announced his intention not to seek reelection after having served ably and effectively for three terms in this House; and

WHEREAS Representative Meade has won the love and respect of each member of this body by his championing of good, sound legislation and in furthering the best interests of the entire state as well as of his district; now therefore

BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE LEGISLATURE OF ALABAMA, That we shall sorely miss the presence of our beloved fellow member and wish him much success and happiness in his every endeavor.

On motion of Mr. Beck, the rules were suspended and H. R. 25 was adopted.

Also:

By Messrs. Grayson, Collins (C) and Nettles:

H. R. 26. BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES That this body extends congratulations to Skipper Warren Norville and to Gill Printing Company of Mobile for the excellent book entitled "Storm Jib and Running Sails" recently written by Skipper Norville and edited and published by Gill Printing Company, in which the author tells in a most delightful manner about his sailing across the Atlantic Ocean in a yacht. This book is not only entertaining but its format is excellent and its illustrations beautiful.

On motion of Mr. Grayson, the rules were suspended and H. R. 26 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 51. To amend Code of Alabama 1940, Title 51, Section 342, relating to contracts of foreign corporations, so as to provide for subsequent validation of certain of such contracts which were void when made.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Bank, the House concurred in and adopted the Senate amendment to the bill, H. 51, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Code of Alabama 1940, Title 51, Section 342, relating to contracts of foreign corporations, so as to provide for subsequent validation of certain of such contracts which were void when made.

Be It Enacted by the Legislature of Alabama:

Section 1. Code of Alabama 1940, Title 51, Section 342, relating to void contracts, is amended to read as follows:

"Section 342. All contracts made in this state by any foreign corporation which has not first complied with the provisions of the three preceding sections shall, at the option of the other party to the contract, be wholly void at the suit of such foreign corporation or any person claiming through or under such foreign corporation by virtue of such contract, unless said contract, heretofore or hereafter executed, consists of a mortgage upon real property or an interest in real property in this state, and the note secured thereby, where the mortgage is insured by the Federal Housing Administration or guaranteed by the Veterans Administration, and unless said foreign corporation shall have thereafter qualified to do business in this state. Before so qualifying such foreign corporation shall be required to pay all qualification fees or admission taxes required by the three preceding sections for all years or parts of years which it transacted business in this state, together with such interest and penalties thereon as may be assessed in accordance with law."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Beck	Brown	Collier
Adwell	Berryman (K)	Burgreen	Collins (C)
Bank	Berryman (W)	Cameron	Collins (W)
Bassett	Brassell	Cherner	Cook (Jefferson)

Crane	Grainger	Lemley	Perloff
Crawford	Grayson	Manley	Pruitt
Culver	Hardin	Marr	Robertson
Dill	Harper	McElhaney	Sessions
Dobbs	Harris	McLain	Shumate
Downing	Headley	Meade	Smith
Drake	Higginbotham	Merrill	Springer
Fine	Holladay	Money	Stembridge
Foshee	Holman	Nettles	Tuck
Gafford	House	Owens (W.E.)	Watkins
Garrett	Jackson (T)	Paulk	Williams
Gloor	Jones	Pearson	Yeilding
Graham	Kilgore	Pennington	Young

—68

And the bill, H. 51, as thus amended, was again read a third time at length and passed.

Yeas 68; Nays 0.

Yeas:

Mr. Speaker	Crawford	Headley	Owens (W.E.)
Adwell	Culver	Higginbotham	Paulk
Bank	Dill	Holladay	Pearson
Bassett	Dobbs	Holman	Pennington
Beck	Downing	House	Perloff
Berryman (K)	Drake	Jackson (T)	Pruitt
Berryman (W)	Fine	Jones	Robertson
Brassell	Foshee	Kilgore	Sessions
Brown	Gafford	Lemley	Shumate
Burgreen	Garrett	Manley	Smith
Cameron	Gloor	Marr	Springer
Cherner	Graham	McElhaney	Stembridge
Collier	Grainger	McLain	Tuck
Collins (C)	Grayson	Meade	Watkins
Collins (W)	Hardin	Merrill	Williams
Cook (Jefferson)	Harper	Money	Yeilding
Crane	Harris	Nettles	Young

—68

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has amended as therein shown and, as amended, has passed the following House Bill and returns same herewith to the House:

H. 52. To amend Section 89 of Act No. 414, S. 261, Regular Session 1959 (Acts 1959, p. 1055, at p. 1099), known as the "Alabama Business Corporation Act," so as to provide further for contracts of corporations not qualified to do business in this state.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Bank, the House concurred in and adopted the Senate amendment to the bill, H. 52, said Senate amendment being as follows:

A BILL
TO BE ENTITLED
AN ACT

To amend Section 89 of Act No. 414, S. 261, Regular Session 1959 (Acts 1959, p. 1055, at p. 1099), known as the "Alabama Business Corporation Act," so as to provide further for contracts of corporations not qualified to do business in this state.

Be It Enacted by the Legislature of Alabama:

Section 1. Section 89 of Act No. 414, S. 261, Regular Session 1959 (Acts 1959, p. 1055, at p. 1099), known as the "Alabama Business Corporation Act," is amended to read as follows:

"Section 89. All contracts or agreements made or entered into in this state by foreign corporations which have not qualified to do business in this state shall be held void at the suit of such foreign corporation or any person claiming through or under such foreign corporation by virtue of said void contract or agreement; but nothing herein shall abrogate the equitable rule that he who seeks equity must do equity; and provided, however, that the failure of a foreign corporation to qualify to do business in this state shall not impair the validity of any contract or agreement heretofore or hereafter entered into and consisting of a mortgage upon real property or an interest in real property in this state, and the note secured thereby, where the mortgage is insured by the Federal Housing Administration or guaranteed by the Veterans Administration, if said foreign corporation shall have thereafter qualified to do business in this state. In all suits against such foreign corporation or against any person claiming under such foreign corporation by virtue of such void contract, the foreign corporation or such person claiming under it shall be held to be estopped from setting up the fact that the contract or agreement was so made in violation of law. In all actions against foreign corporations who have not qualified to do business in this state as provided by law, the summons or other process may be served upon the officer, agent or employee of the foreign corporation who acted for or represented such foreign corporation in making the contract or agreement sued upon."

Section 2. This Act shall become effective immediately upon its passage and approval by the Governor, or upon its otherwise becoming a law.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jackson (T)	Pearson
Agee	Dill	Jones	Pennington
Bank	Dobbs	Kilgore	Perloff
Bassett	Downing	Laxson	Pruitt
Beck	Drake	Lemley	Robertson
Berryman (K)	Fine	Lybrand	Sessions
Berryman (W)	Gafford	Manley	Shumate
Brassell	Gloor	McDonald	Smith
Brown	Graham	McElhaney	Springer
Burgreen	Grainger	McLain	Starnes
Cameron	Grayson	Meade	Stembridge
Cherner	Hardin	Merrill	Tuck
Collier	Harper	Money	Williams
Collins (C)	Harris	Nettles	Yeilding
Cook (Jefferson)	Holladay	Owens (W.E.)	Young
Crane	Holman	Paulk	—63

And the bill, H. 52, as thus amended, was again read a third time at length and passed.

Yeas 63; Nays 0.

Yeas:

Mr. Speaker	Crawford	Jackson (T)	Pearson
Agee	Dill	Jones	Pennington
Bank	Dobbs	Kilgore	Perloff
Bassett	Downing	Laxson	Pruitt
Beck	Drake	Lemley	Robertson
Berryman (K)	Fine	Lybrand	Sessions
Berryman (W)	Gafford	Manley	Shumate
Brassell	Gloor	McDonald	Smith
Brown	Graham	McElhaney	Springer
Burgreen	Grainger	McLain	Starnes
Cameron	Grayson	Meade	Stembridge
Cherner	Hardin	Merrill	Tuck
Collier	Harper	Money	Williams
Collins (C)	Harris	Nettles	Yeilding
Cook (Jefferson)	Holladay	Owens (W.E.)	Young
Crane	Holman	Paulk	—63

RESOLUTION

The following resolution was introduced:

By Mr. Meade:

H. J. R. 27. RESOLVED BY THE HOUSE, THE SENATE CONCURRING, That the resolution, HJR 9, which has passed both houses be designated and known as "The Meade, Stone and Beck Resolution."

On motion of Mr. Meade, the rules were suspended and H. J. R. 27 was adopted.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bills and returns same herewith to the House:

H. 41. To amend Title 25, Section 19, Code of Alabama 1940, as amended.

Also:

H. 38. To permit persons, corporations not organized for profit, general partnerships, limited partnerships, and associations, whether organized for profit or non-profit, to pay a rate or rates of interest on the loan or forbearance of money having an original principal balance of not less than One Hundred Thousand Dollars ($100,000.00) as that person, corporation not organized for profit, general partnership or limited partnership, or association, whether organized for profit or non-profit, may determine, without regard to any provision of law prescribing or limiting interest rates, and denying to such persons, corporations not organized for profit, general partnerships, limited partnerships, and associations, whether organized for profit or non-profit, and to certain others who may become liable on such a loan or forbearance the right to claim or raise the defense of usury.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 41. To amend Title 25, Section 19, Code of Alabama 1940, as amended.

Also:

H. 42. To further amend Act No. 288, approved July 7, 1945, (General Acts 1945, p. 478), an act providing for appointment and designation of supernumerary circuit judges.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 8. Wishing Senator Kyser Leonard happiness and satisfaction in his retirement.

Also:

S. J. R. 9. Mourning the death of Mrs. Jesse Earl Speight.

Also:

S. J. R. 12. Authorizing the binding of the Journals and Acts of the 1970 Special Session with the Journals and Acts of the 1969 Regular Session.

Also:

S. J. R. 16. Expressing to Senator W. E. Oden much pleasure in his retirement from the Legislature.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolutions, the titles of which are set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has concurred in and adopted the following House Joint Resolutions and returns hame herewith to the House:

H. J. R. 27. Naming HJR 9 the "Meade, Stone and Beck Resolution".

Also:

H. J. R. 23. Declaring April 2-5, 1970 to be Eufaula Pilgrimage Days in Alabama.

McDOWELL LEE,
Secretary.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has passed the following House Bill and returns same herewith to the House:

H. 4. To authorize the governing body of each county of the state to acquire by purchase, donation, or otherwise, land situated within the county, or within any adjoining county, for the purpose of establishing and maintaining on such land a public park or recreational area; to authorize each county to maintain and operate parks or recreational areas; to authorize the appropriation and expenditure of the funds of the county for such purposes; and to authorize two or more counties to cooperate in the joint establishment and operation of a park or recreational area.

McDOWELL LEE,
Secretary.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 81. To amend Act No. 91, H. 22, Special Session 1969, Section 4, paragraph H (Acts 1969, p. 136) entitled "An Act to make annual appropriations for the support, maintenance and development of public education in Alabama for each of the fiscal years ending September 30, 1970 and September 30, 1971", so as to provide for certain teacher salary increases from the Minimum Program Fund.

Also:

H. 7. To amend Section 37 of Title 52 of the Code of Alabama of 1940, as heretofore amended.

Also:

H. 8. To permit persons, firms, corporations not organized for profit, the state board of education and the trustees of all state institutions where education is a part of the program of the institution, partnerships and associations when borrowing money in amounts of not less than $100,000 to pay such rates of interest not to exceed the rate of fifteen percent per annum on the loan or forbearance of money as such borrower may agree to pay without regard to any provision of law limiting

interest rates, and denying to such borrower and to others who may become liable thereon the right to claim or raise the defense of usury.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 7. Commending Representative Charles E. Grainger for his achievement and recognition by the Junior Chamber of Commerce of the City of Huntsville.

Also:

H. J. R. 8. Congratulating Charles Rabon and George Robin Swift III, of Escambia County, upon being selected to participate in the second session of the Presidential Classroom for Young Americans.

Also:

H. J. R. 9. Naming the school for retarded children in Cherokee County the "D. Day School" in recognition of the outstanding work done by Mrs. D. Day.

Also:

H. J. R. 10. Commending Representative Paul Trammel Sessions, of Jefferson County, upon his retirement and wishing him much happiness and satisfaction in all future endeavors.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 11. Mourning the death of Richard Grammer, outstanding athlete at the University of Alabama.

Also:

H. J. R. 12. Mourning the death of William Thomas Giles, prominent citizen of Decatur, Alabama.

Also:

H. J. R. 13. Urging Alabama families to plant gardens to aid in the curbing of inflation.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 73. To amend the title to and Sections 1, 3 and 5 of Act No. 79 adopted at the First Special Session of 1959 of the Legislature of Alabama so as to provide that warrants issued pursuant to Senate Act may at the option of the governing body of the county or municipality issuing such warrants constitute limited obligations of such county or municipality payable solely out of a specified tax, so as to increase the maximum permissible interest rate that may be borne by any warrants issued under the provisions of the said act, and so as to make the said act apply to any educational facility of any state institution of higher learning above the secondary school classification.

Also:

H. 32. To authorize the awarding of reasonable attorney's fees in domestic relations cases where a contempt of court citation is made.

Also:

H. 30. To amend Code of Alabama 1940, Title 13, Section 397 relative to the civil jurisdiction of the justices of the peace.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 5. Proclaiming Tuesday, February 24, 1970, as "Wernher von Braun Day" in Alabama.

Also:

H. J. R. 6. Mourning the death of Police Officer Henry D. Kelley, Jr., of Tuscaloosa, and proclaiming February 20 of each year "Officer Kelley Day" in Tuscaloosa.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Joint Resolutions, to-wit:

H. J. R. 15. Providing that each member of the Legislature attend an orientation meeting.

Also:

H. J. R. 18. Naming the gymnasium located at William Lowndes Yancey State Junior College at Bay Minette.

Also:

H. J. R. 19. Commending Mr. James Record for his effective work and services to the Association of County Commissioners.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills and House Joint Resolutions, to-wit:

H. 45. To amend Code of Alabama 1940, Title 17, Section 198 so as to provide further for the compensation and mileage allowance of election officers.

Also:

H. 3. To levy a privilege or license tax on non-resident live fish and minnow dealers; to provide for the distribution of all monies accruing under the provisions of this act; to provide a penalty for the violation of any provision of this act.

Also:

H. 34. Establishing the Historic Chattahoochee Commission as a state agency to identify, acquire, own, transport, renovate, maintain, and exhibit historic or military articles, exhibits and attractions; prescribing the authority, powers, duties and functions of the Commission and its members, officers, and committees; and making an appropriation therefor.

Also:

H. J. R. 14. Commending the members of the Talladega County School Board, the Talladega City School Board and the Sylacauga City School Board and the superintendents, principals, teachers and employees of the three systems.

Also:

H. J. R. 16. Expressing regret upon the death of Mr. Jessie A. Brown of Lamar County.

Also:

H. J. R. 17. Expressing regret upon the death of Judge Victor C. Paul of Lamar County.

Also:

H. J. R. 20. Commending Mrs. Estelle Dean and extending hearty good wishes for a speedy recovery from her recent illness.

Also:

H. J. R. 21. Designating "War Eagle Highway."

Also:

H. J. R. 23. Declaring April 2-5, 1970, Eufaula Pilgrimage Days in Alabama.

Also:

H. J. R. 27. Naming House Joint Resolution 9.

Also:

H. 38. To permit persons, corporations not organized for profit, general partnerships, limited partnerships, and associations, whether organized for profit or non-profit, to pay a rate or rates of interest on

the loan or forbearance of money having an original principal balance of not less than One Hundred Thousand Dollars ($100,000.00) as that person, corporation not organized for profit, general partnership or limited partnership, or association, whether organized for profit or non-profit, may determine, without regard to any provision of law prescribing or limiting interest rates, and denying to such persons, corporations not organized for profit, general partnerships, limited partnerships, and associations, whether organized for profit or non-profit, and to certain others who may become liable on such a loan or forbearance the right to claim or raise the defense of usury.

Also:

H. 51. To amend Code of Alabama 1940, Title 51, Section 342, relating to contracts of foreign corporations, so as to provide for subsequent validation of certain of such contracts which were void when made.

Also:

H. 52. To amend Section 89 of Act No. 414, S. 261, Regular Session 1959 (Acts 1959, p. 1055, at p. 1099), known as the "Alabama Business Corporation Act," so as to provide further for contracts of corporations not qualified to do business in this state.

Also:

H. 4. To authorize the governing body of each county of the state to acquire by purchase, donation, or otherwise, land situated within the county, or within any adjoining county, for the purpose of establishing and maintaining on such land a public park or recreational area; to authorize each county to maintain and operate parks or recreational areas; to authorize the appropriation and expenditure of the funds of the county for such purposes; and to authorize two or more counties to cooperate in the joint establishment and operation of a park or recreational area.

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS AND HOUSE JOINT RESOLUTIONS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills and House Joint Resolutions, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

REPORT OF THE STANDING COMMITTEE ON RULES ON ENROLLED AND ENGROSSED BILLS

Mr. Speaker:

Your Standing Committee on Rules begs leave to report that it has examined the following House Bills, to-wit:

H. 5. To allow prospective jurors to be excused without the presence of the defendant in the Seventh Judicial Circuit of Alabama.

Also:

H. 1. To prevent discrimination on account of race, color, creed or national origin in connection with the education of the children of the State of Alabama.

Also:

H. 11. Authorizing the county governing body of counties of not less than 25,600 population nor more than 25,700 population according to the most recent federal decennial census to make an appropriation of county funds for the relief of Walter Popwell to compensate for certain damages.

Also:

H. 14. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing for the salary increases of the jailers in such counties.

Also:

H. 16. To amend further Act No. 413, H. 421 of the 1966 Special Session (Acts, 1966, p. 559), entitled "An Act relating to counties having populations of not less than 96,000 nor more than 106,000 according to the most recent federal decennial census; authorizing the constable serving the county court to appoint a deputy constable; providing for the term, duties and salary of such deputy constable," relative to the compensation of such constable.

Also:

H. 43. To fix the fee for issuance of pistol permits in any county having a population of not less than 20,050 nor more than 21,850 according to the most recent federal decennial census; providing for the deposit of such fees; and to create a fund to be designated the Sheriff's Fund; and providing for the use of such fund for law enforcement purposes; and to validate prior collections and expenditures from such collections.

Also:

H. 46. Relating to all counties having populations of not less than 42,000 nor more than 46,000 according to the most recent federal decennial census, providing for the salary of the Register in Chancery in such counties.

Also:

H. 47. Applicable to those counties in the State having a population of not less than 300,000 nor more than 600,000 inhabitants according to the last or any subsequent Federal census; to authorize each such county to make appropriations to any State institution of higher learning for the payment of all or any part of the cost of any educational building or other educational facility of such institution; to authorize any such county to issue interest-bearing warrants for the purpose of paying all or any part of the cost of any educational building or other educational facility of a State institution of higher learning; to authorize the governing body of each such county to prescribe the terms and provisions of such warrants; and to provide that this act shall be cumulative and severable.

Also:

H. 48. Applicable to those municipalities in the State having a population of not less than 200,000 nor more than 300,000 inhabitants according to the last or any subsequent Federal census; to authorize each such municipality to make appropriations to any State institution of higher learning for the payment of all or any part of the cost of any educational building or other educational facility of such institution;

to authorize any such municipality to issue interest-bearing warrants for the purpose of paying all or any part of the cost of any educational building or other educational facility of a State institution of higher learning; to authorize the governing body of each such municipality to prescribe the terms and provisions of such warrants; and to provide that this act shall be cumulative and severable.

Also:

H. 57. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Section 3, Township 16 North, Range 18 East, Montgomery County, Alabama.

Also:

H. 58. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 6 and 7, Township 16 North, Range 19 East, and Sections 1 and 12, Township 16 North, Range 18 East, Montgomery County, Alabama.

Also:

H. 59. To alter, rearrange and extend the boundaries of the City of Montgomery, so as to include within the corporate limits thereof certain additional territory in Sections 29 and 30, Township 17 North, Range 18 East, Montgomery County, Alabama.

Also:

H. 63. To permit banks having principal place of business in cities having a population according to the most recent federal decennial census of not less than 10,230 nor more than 10,260 inhabitants, to establish, maintain, or operate new branches or branch banks, branch offices, branch agencies, additional offices or branch places of business within the limits of such city in which said bank is situated, for the receipt of deposits, payment of checks, lending of money, and the conduct of general banking and trust business, by and with the written consent of the state superintendent of banks.

Also:

H. 66. To alter, re-arrange and extend the boundaries and corporate limits of the town of Harpersville so as to incorporate certain territory as described herein.

Also:

H. 70. Relating to counties having populations of not less than 10,800 nor more than 13,000, counties having populations of not less than 19,000 nor more than 19,500, and counties having populations of not less than 65,000 nor more than 96,000; to confer additional authority upon such counties in relation to the construction, leasing, maintenance, and operation of detention homes for lodging juveniles and persons confined on orders of juvenile court judges in such counties.

Also:

H. 71. Relating to counties having populations of not less than 65,000 nor more than 95,000; to authorize an appropriation from the county treasury to construct or acquire, or to aid in the construction or acquisition of a place of detention for juveniles or other persons ordered confined by the juvenile court judge.

Also:

H. 27. To apply in all counties having a population of not less than 13,700 nor more than 14,300, according to the most recent federal decennial census; to provide an allowance to the circuit clerk of such counties for clerical assistance.

Also:

H. 72. Relating to all counties having populations of not less than 65,000 nor more than 95,000, according to the most recent federal decennial census; fixing the amount of compensation and expense allowances payable to the board of equalization, the jury commission, and the board of registrars in such counties.

Also:

H. 74. Relating to counties having a population of not less than 24,800, nor more than 25,400 according to the most recent federal decennial census; by amending Act #837, H. 1106, Regular Session of the Alabama Legislature 1969, to provide for the number of working days and compensation of the members of the County Board of Equalization in said counties; and providing that this Act shall become effective only if approved at a referendum held in the county affected.

Also:

H. 75. Relating to counties having a population of not less than 24,800, nor more than 25,400 according to the most recent federal decennial census; by amending Act #515 H. 1028, Regular Session of Legislature 1969.

Also:

H. 78. To apply in all counties having a population of not less than 50,000 nor more than 54,000, according to the most recent federal decennial census, to increase the salary of the coroner in such counties.

Also:

H. 79. To provide for eligiblity to hold public office in all counties having a population of not less than 51,000 nor more than 56,000 according to the most recent federal decennial census.

Also:

H. 80. Relating to all counties having populations of not less than 46,000 nor more than 46,500, according to the most recent federal decennial census; providing for the salary of the chief deputy sheriff in such counties.

Also:

H. 82. Relating to the twenty-sixth judicial circuit, authorizing the city commission of any city therein to establish a special fund and appropriate public funds thereto for the use of the district attorney for certain purposes.

Also:

H. 62. To amend Act No. 567, S. 124, Regular Session 1969 (Acts 1969, p. 1049) so as to reduce the period of service required for supernumerary district attorneys.

Also:

H. 36. To provide for uniformity in designating county governing bodies in the several counties of this state.

Also:

H. 28. To amend Section 7 of Act No. 775 enacted at the 1951 Regular Session of the Legislature of Alabama; which Act relates to Boards of Water and Sewer Commissioners.

Also:

H. 9. To appropriate $120,000.00 to the State Board of Education for payment of prior obligations of the State of Alabama for Regional Education for fiscal years ending September 30, 1968 and September 30, 1969; and to provide that the said appropriation shall be paid from amounts heretofore appropriated to the State Board of Education for Regional Education for fiscal year ending September 30, 1970 by Act No. 91, Special Session 1969, approved May 14, 1969.

Also:

H. 13. Relating to taxation, making further exemptions from State sales and use taxes.

Also:

H. 44. To provide for the incorporation of Districts, as public corporations, for the purpose of furnishing water service, sanitary sewer service, and fire protection service, or any thereof, upon the filing of an application with, and the authorization of such incorporation by, the governing body of each county and municipality within which any such District is to be authorized to furnish any of such services; to provide that the service area specified in the original certificate of incorporation of any such District shall lie wholly within the boundaries of the county or counties by the governing bodies of which the incorporation of such District was authorized and that no part of said service area shall lie within the boundaries of any municipality by the governing body of which such incorporation was not authorized; to provide for the amendment of the certificate of incorporation of any such District for the purpose of extending the service area, and for other purposes, at any time and from time to time, upon the filing of applications with, and the authorization of each such amendment by, the governing bodies of each county and municipality in which any part of the then existing or proposed service area of such District lies; to provide for the election and compensation of directors of any such District; to provide for the powers, authorities and duties of any such District and its board of directors; to authorize any such District to acquire, construct, operate, improve and finance one or more water-works plants, water distribution systems, sanitary sewer systems, or fire protection facilities, or any combination of any thereof; to confer on any such District the power of eminent domain; to authorize any such District to employ officers, employees and agents without regard to any provisions of Act No. 217 (1967 Special Session), as amended, that might otherwise be applicable; to make provisions respecting the establishment, revision, and collection of charges for water service, sewer service and fire protection service, or any thereof, rendered by it; to provide for the issuance by any such District for any of its corporate purposes of interest-bearing revenue bonds and other interest-bearing revenue securities, payable solely out of the revenues of any one or more of the systems and facilities, or any thereof, of such District, without regard to the system or systems or facilities with respect to which such revenue securities may have been issued; to provide that such revenue securities shall constitute negotiable instruments; to provide that such revenue securities may be secured by a pledge of the revenues from which they are payable, by contracts binding any such District for the proper application of its revenues and of the proceeds of such revenue securities, and by a non-foreclosable mortgage and deed of trust or statutory mortgage lien on the system or facilities out of the revenues from which such securities are payable,

and to provide that any revenue securities of the District may be issued under a trust indenture; to provide for constructive notice of any such statutory mortgage lien; to authorize and make provisions respecting the assumption by a District of obligations respecting systems and facilities, or parts thereof, acquired by the District; to provide for the use of the proceeds of any revenue securities issued by a District; to provide for the refunding, by the issuance of revenue securities of a District, of revenue securities theretofore issued or obligations theretofore assumed by it; to provide that revenue securities issued and contracts entered into by any such District pursuant to this Act shall not constitute or create a debt of the state or of any county, municipality or political subdivision of the state; to provide that any county, municipality, other political subdivision, public corporation, or agency or instrumentality of this state may aid and cooperate with, lend or donate money to, perform services for the benefit of, and, without the necessity of an election and with or without consideration; transfer any water system, sewer system, fire protection facility, or other property to any such District; to provide that the rendition by any such District of fire protection service is a governmental function and to exempt such District from all tort liability in connection with fire protection service or facilities; to exempt the property and income of any such District, and all securities issued by any such District and the income from such securities, and conveyances, leases, and mortgages and deeds of trust to which such District is a party from all taxation in the state, to exempt every such District from all taxes, including license and excise taxes, levied by any county, municipality, or other political subdivision of the state, and to exempt such District from payment of certain charges to Judges of Probate; to provide that each such District shall be exempt from regulation and supervision by the Public Service Commission and the State Department of Finance; to provide for the use of public roads in the state by any such District; and to provide for the dissolution of any such District and the disposition of its property.

Also:

H. 15. Relating to taxation: To exempt drugs and medications, vitamins, minerals, and other nutrients used in the production of live stock and poultry from the state sales and use tax.

Also:

H. 33. To amend Section 2, III (47) of Act No. 995, 1969 Regular Session, entitled "To make appropriations for the ordinary expenses of the executive, legislative and judicial departments of the State, and for the interest on the public debt and for the public schools."

And finds same correctly enrolled.

RANKIN FITE,
Chairman.

SIGNING OF BILLS

The Speaker of the House, in the presence of the House, immediately after the titles had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Bills, the titles of which are set out in the above and foregoing report of the Standing Committee on Rules.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same same herewith to the House for its consideration:

By Mr. Nabors:

S. J. R. 15. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, that the segment of the public highway known as the 411 by-pass in Gadsden, Etowah County, Alabama, from its intersection at Rainbow Drive northward to its intersection at Ewing Avenue, be and it hereby is named the Albert M. Rains Boulevard.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Malone, the rules were suspended and the House concurred in and adopted the S. J. R. 15 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Messrs. McCarley, Adams, Albea, Bailes, Branyon, Carr, Childs, Clark, Cooper, Dominick, Engel, Folsom, Giles, Gilmore, Givhan, Goodwyn, Harris, Hawkins, Jackson, Leonard, Lindsey, Lolley, Morrow, Nabors, O'Bannon, Oden,, Pelham, Pierce, Radney, Skidmore, Stone, Torbert, Turner, Vacca:

S. J. R. 7. WHEREAS Owen Bridges, State Securities Commissioner, and a native of Shelby County, died suddenly on Saturday, February 21, 1970; and

WHEREAS Owen Bridges was well known throughout the state as a man of integrity and as an unchallenged authority in the field of securities law; and

WHEREAS after a distinguished career as an assistant attorney general, he was selected to serve as the first state securities commissioner, when the present securities commission was created, now therefore

BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That we deeply mourn the death of Owen Bridges, and express our heartfelt sympathy to his family.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Stubbs, the rules were suspended and the House concurred in and adopted the S. J. R. 7 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The Senate has originated and adopted the following Senate Joint Resolution and sends same herewith to the House for its consideration:

By Mr. Dominick:

S. J. R. 6. BE IT RESOLVED BY THE LEGISLATURE OF ALABAMA, BOTH HOUSES THEREOF CONCURRING, That the Legislative Reference Service be instructed to prepare the agenda and schedule for an Orientation Meeting for the members of the Legislature to acquaint them with the current organization, functions, problems, conditions, finances, and other relevant information relating to state government, and with proper legislative procedure under the provisions of the Constitution and the Code.

BE IT FURTHER RESOLVED, That the Legislative Reference Service shall take whatever other action may be necessary to call and hold such an Orientation Meeting.

BE IT FURTHER RESOLVED, That the Legislative Reference Service be instructed to call the Orientation Meeting after the November 1970 General Election and prior to the January 1971 Organizational Session.

McDOWELL LEE,
Secretary.

SENATE MESSAGE

On motion of Mr. Smith, the rules were suspended and the House concurred in and adopted the S. J. R. 6 set out in the above and foregoing Message from the Senate.

MESSAGE FROM THE SENATE

Mr. Speaker:

The President and Presiding Officer of the Senate having signed the following Senate Joint Resolutions, your signature thereto is requested:

S. J. R. 6. Instructing the Legislative Reference Service to call an Orientation Meeting for members of the Legislature.

Also:

S. J. R. 7. Mourning the death of Mr. Owen Bridges.

Also:

S. J. R. 15. Naming the segment of highway known as 411 by-pass in Gadsden, the Albert M. Rains Boulevard.

McDOWELL LEE,
Secretary.

SIGNING OF SENATE JOINT RESOLUTION

The Speaker of the House, in the presence of the House, immediately after the title had been publicly read by the Clerk, the reading at length having been dispensed with by a two-thirds vote of a quorum present, signed the Senate Joint Resolution, the title of which is set out in the above and foregoing Message from the Senate.

REPORT OF STANDING COMMITTEE ON RULES

House of Representatives:

Your Standing Committee on Rules begs leave to report that it has carefully examined the Journal of the House for the fifth legislative day and finds the same to be correct.

RANKIN FITE,
Chairman.

On motion of Mr. Merrill, the reading at length of the Journal of the House for the fifth legislative day was dispensed with and the report of the Standing Committee on Rules was concurred in and adopted, and the Journal for the fifth legislative day was approved.

CERTIFICATE OF CLERK

To The House of Representatives:

I hereby certify that the House Joint Resolutions and House Bills hereinafter mentioned were delivered to the Executive Department on the date and hour named and that I hold the receipt of the Executive Department for same.

Delivered to the Governor at 3:15 P. M. On February 27, 1970

H. 42

H. 41

Delivered to the Governor at 3:40 P. M. On February 27, 1970

H. 81

H. 7

H. 8

Delivered to the Governor at 5:00 P. M. On February 27, 1970

H. J. R. 7

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H. J. R. 9

H. J. R. 10

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H. J. R. 12

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H. 73

H. 32

H. 30

H. J. R. 5

H. J. R. 6

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H. J. R. 27

H. 38

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H. 4

JOHN W. PEMBERTON,
Clerk.

ADJOURNMENT

On motion of Mr. Merrill, the House adjourned sine die at 4:25 o'clock P. M.

RANKIN FITE,
Speaker of the House of Representatives
of the Legislature of Alabama,
Extraordinary Session, 1970

ATTEST:

JOHN W. PEMBERTON,
Clerk of the House of Representatives
of the Legislature of Alabama,
Extraordinary Session, 1970.

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